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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 463 Session of  
2013

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INTRODUCED BY STACK, TARTAGLIONE, WILLIAMS, WASHINGTON, FARNESE,  
SOLOBAY, YUDICHAK AND RAFFERTY, MARCH 6, 2013

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REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,  
MARCH 6, 2013

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AN ACT

1 Amending the act of June 24, 1976 (P.L.424, No.101), entitled,  
2 as amended, "An act providing for the payment of death  
3 benefits to the surviving spouse or children or parents of  
4 firefighters, ambulance service or rescue squad members, law  
5 enforcement officers or National Guard members who die as a  
6 result of the performance of their duties," amending the  
7 title of the act; further providing for authority for  
8 payment; adding a definition of "natural gas responder"; and  
9 further providing for construction of act.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. The title of the act of June 24, 1976 (P.L.424,  
13 No.101), referred to as the Emergency and Law Enforcement  
14 Personnel Death Benefits Act, amended October 6, 2005 (P.L.319,  
15 No.59), is amended to read:

16 AN ACT

17 Providing for the payment of death benefits to the surviving  
18 spouse or children or parents of firefighters, ambulance  
19 service or rescue squad members, law enforcement officers  
20 [or], National Guard members or natural gas responders who  
21 die as a result of the performance of their duties.

1 Section 2. Section 1(a) and (e) of the act, amended October  
2 9, 2009 (P.L.588, No.51), are amended and the section is amended  
3 by adding a subsection to read:

4 Section 1. (a) In the event a law enforcement officer,  
5 ambulance service or rescue squad member, firefighter, certified  
6 hazardous material response team member [or], National Guard  
7 member or natural gas responder dies as a result of the  
8 performance of his duties, such political subdivision,  
9 Commonwealth agency or, in the case of National Guard members,  
10 the Adjutant General, or, in the case of a member of a  
11 Commonwealth law enforcement agency, the authorized survivor  
12 [or], the agency head or, in the case of a natural gas  
13 responder, the employer or authorized survivor, within 90 days  
14 from the date of death, shall submit certification of such death  
15 to the Commonwealth.

16 \* \* \*

17 (e) The Commonwealth of Pennsylvania shall pay out of the  
18 General Fund to the surviving spouse or, if there is no  
19 surviving spouse, the minor children of a National Guard member,  
20 natural gas responder, certified hazardous material response  
21 team member, volunteer firefighter, ambulance service or rescue  
22 squad member who died as a result of the performance of his  
23 duties the sum of \$100,000, adjusted in accordance with  
24 subsection (f) of this section. When no spouse or minor children  
25 survive, the benefit shall be paid to the parent or parents of  
26 such National Guard member, natural gas responder, certified  
27 hazardous material response team member, volunteer firefighter,  
28 ambulance service or rescue squad member. The benefit shall be  
29 payable whether or not the National Guard member, natural gas  
30 responder or certified hazardous material response team member,

1 volunteer firefighter, ambulance service or rescue squad member  
2 died as a result of the performance of his duty within the  
3 Commonwealth of Pennsylvania.

4 \* \* \*

5 (h) A natural gas responder shall be deemed to be acting in  
6 the performance of his duties for the purposes of this act when:

7 (1) the natural gas responder was requested by his  
8 employer to respond to a natural gas release or safety event;  
9 and

10 (2) the natural gas responder dies as a direct result of  
11 an injury caused by the natural gas release or safety event.

12 Section 3. Section 2 of the act is amended by adding a  
13 definition to read:

14 Section 2. The following words and phrases when used in this  
15 act shall have the meanings given to them in this section unless  
16 the context clearly indicates otherwise:

17 \* \* \*

18 "Natural gas responder" means an employee of a city natural  
19 gas distribution operation as defined in 66 Pa.C.S. § 102  
20 (relating to definitions) who responds to actual or potential  
21 natural gas releases or safety events that pose threats to lives  
22 or property.

23 \* \* \*

24 Section 4. Section 2.1 of the act, amended April 2, 2002  
25 (P.L.213, No.20), is amended to read:

26 Section 2.1. This act shall be broadly construed to grant  
27 benefits to firefighters, ambulance service or rescue squad  
28 members, law enforcement officers [or], National Guard personnel  
29 or natural gas responders for deaths related to the performance  
30 of their duties.

1       Section 5. A death certificate of an eligible natural gas  
2 responder who died as a result of the performance of his duties  
3 on or after December 1, 2010, but prior to the effective date of  
4 this section, shall be deemed timely filed in accordance with  
5 section 1(a) of the act if it is submitted with 90 days of the  
6 effective date of this section.

7       Section 6. This act shall take effect immediately.