

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 503 Session of 2021

INTRODUCED BY REGAN, ARGALL, BAKER, BARTOLOTTA, BROWNE, MARTIN, MASTRIANO, MENSCH, SCAVELLO, STEFANO, TARTAGLIONE, YUDICHAK, BROOKS, COMMITTA, BREWSTER, YAW, J. WARD, MUTH, PITTMAN AND AUMENT, APRIL 8, 2021

REFERRED TO LAW AND JUSTICE, APRIL 8, 2021

AN ACT

1 Amending the act of June 28, 1935 (P.L.477, No.193), entitled  
 2 "An act providing for the payment of the salary, medical and  
 3 hospital expenses of certain employes of State and local  
 4 government who are injured or contract certain diseases in  
 5 the performance of their duty; and providing that absence  
 6 during such injury shall not reduce any usual sick leave  
 7 period," further providing for disability benefits and for  
 8 definitions.

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

11 Section 1. Sections 1 and 2.1 of the act of June 28, 1935  
 12 (P.L.477, No.193), referred to as the Enforcement Officer  
 13 Disability Benefits Law, are amended to read:

14 Section 1. (a) Be it enacted, &c., That:

15 (1) any member of the State Police Force;

16 (2) any enforcement officer or investigator employed by the  
 17 Pennsylvania Liquor Control Board;

18 (3) the parole agents, enforcement officers and  
 19 investigators of the Pennsylvania Board of Probation and Parole;

20 (3.1) probation officers employed by a participating county;

1 (4) Capitol Police officers;  
2 (4.1) campus police officers employed by a participating  
3 university;

4 (5) correction employes employed by the Department of  
5 Corrections, whose principal duty is the care, custody and  
6 control of inmates;

7 (5.1) commissioned police officers employed by the  
8 Department of Corrections, Bureau of Investigations and  
9 Intelligence;

10 (6) psychiatric security aides employed by the Department of  
11 Human Services and the Department of Corrections, whose  
12 principal duty is the care, custody, and control of the  
13 criminally insane;

14 (7) drug enforcement agents of the Office of Attorney  
15 General whose principal duty is the enforcement of the drug laws  
16 of the Commonwealth;

17 (8) special agents of the Office of Attorney General whose  
18 principal duty is the enforcement of the criminal laws of the  
19 Commonwealth;

20 (9) any member of the Delaware River Port Authority Police;

21 (10) any policeman, fireman or park guard of any county,  
22 city, borough, town or township;

23 (10.1) firemen employed by the Commonwealth;

24 (11) any sheriff or deputy sheriff; [or]

25 (12) any enforcement officer or investigator of the  
26 Pennsylvania Game Commission or the Pennsylvania Fish and Boat  
27 Commission;

28 (13) DCNR Rangers, DCNR Ranger Supervisors, DCNR Ranger  
29 Operations Specialists, DCNR Ranger Trainees and State Park  
30 Officers employed by the Department of Conservation and Natural

1 Resources;

2 (14) members of the Fort Indiantown Gap Police;

3 (15) investigative staff of the Office of Inspector General;

4 (16) members of the Allegheny County Port Authority Police

5 and transit police officers employed by a participating transit

6 or port authority;

7 (17) members of the Allegheny County Housing Authority

8 Police and housing police officers employed by a participating

9 housing authority; or

10 (18) corrections officers or jail guards employed by a

11 participating county and whose principal duty is the care,

12 custody and control of inmates;

13 who is injured in the performance of his duties including, in

14 the case of firemen, duty as special fire police, and by reason

15 thereof is temporarily incapacitated from performing his duties,

16 shall be paid by the Commonwealth of Pennsylvania if an employe

17 identified under paragraph (1), (2), (3), (4), (4.1), (5),

18 (5.1), (6), (7), (8) [or], (12), (13), (14) or (15) or by the

19 Delaware River Port Authority if a member of the Delaware River

20 Port Authority Police or by the participating university if a

21 campus police officer or by the Allegheny County Port Authority

22 if a member of the Allegheny County Port Authority Police or by

23 a participating transit or port authority if a transit police

24 officer or by the Allegheny County Housing Authority if a member

25 of the Allegheny County Housing Authority Police or by a

26 participating housing authority if a housing police officer or

27 by the county, township or municipality, by which he is

28 employed, his full rate of salary, as fixed by ordinance or

29 resolution, until the disability arising therefrom has ceased.

30 All medical and hospital bills, incurred in connection with any

1 such injury, shall be paid by the Commonwealth of Pennsylvania  
2 or by the Delaware River Port Authority or by the participating  
3 university or by the Allegheny County Port Authority or by the  
4 participating transit or port authority or by the Allegheny  
5 County Housing Authority or by the participating housing  
6 authority or by such county, city, township or municipality.  
7 During the time salary for temporary incapacity shall be paid by  
8 the Commonwealth of Pennsylvania or by the Delaware River Port  
9 Authority or by the participating university or by the Allegheny  
10 County Port Authority or by the participating transit or port  
11 authority or by the Allegheny County Housing Authority or by the  
12 participating housing authority or by the county, city, borough,  
13 town or township, any workmen's compensation, received or  
14 collected by any such employe for such period, shall be turned  
15 over to the Commonwealth of Pennsylvania or to the Delaware  
16 River Port Authority or to the participating university or to  
17 the Allegheny County Port Authority or to the participating  
18 transit or port authority or to the Allegheny County Housing  
19 Authority or to the participating housing authority or to such  
20 county, city, borough, town or township, and paid into the  
21 treasury thereof, and if such payment shall not be so made by  
22 the employe the amount so due the Commonwealth of Pennsylvania,  
23 the Delaware River Port Authority or the participating  
24 university or the Allegheny County Port Authority or the  
25 participating transit or port authority or the Allegheny County  
26 Housing Authority or the participating housing authority or the  
27 county, city, borough, town or township shall be deducted from  
28 any salary then or thereafter becoming due and owing.

29 (b) In the case of:

30 (1) the State Police Force;

1 (2) enforcement officers and investigators employed by the  
2 Pennsylvania Liquor Control Board;

3 (3) the parole agents, enforcement officers and  
4 investigators of the Pennsylvania Board of Probation and Parole;

5 (3.1) probation officers employed by a participating county;

6 (4) Capitol Police officers;

7 (4.1) campus police officers employed by a participating  
8 university;

9 (5) correction employees employed by the Department of  
10 Corrections, whose principal duty is the care, custody and  
11 control of inmates;

12 (5.1) commissioned police officers employed by the  
13 Department of Corrections, Bureau of Investigations and  
14 Intelligence;

15 (6) psychiatric security aides employed by the Department of  
16 Human Services and the Department of Corrections whose principal  
17 duty is the care, custody, and control of the criminally insane;

18 (7) drug enforcement agents of the Office of Attorney  
19 General whose principal duty is the enforcement of the drug laws  
20 of the Commonwealth;

21 (8) special agents of the Office of Attorney General whose  
22 principal duty is the enforcement of the criminal laws of the  
23 Commonwealth;

24 (9) members of the Delaware River Port Authority Police;

25 (10) salaried policemen and firemen;

26 (10.1) firemen employed by the Commonwealth;

27 (11) sheriffs and deputy sheriffs; [and]

28 (12) enforcement officers and investigators of the  
29 Pennsylvania Game Commission and the Pennsylvania Fish and Boat  
30 Commission;

1 (13) DCNR Rangers, DCNR Ranger Supervisors, DCNR Ranger  
2 Operations Specialists, DCNR Ranger Trainees and State Park  
3 Officers employed by the Department of Conservation and Natural  
4 Resources;

5 (14) members of the Fort Indiantown Gap Police;

6 (15) investigative staff of the Office of Inspector General;

7 (16) members of the Allegheny County Port Authority Police  
8 and transit police officers employed by a participating transit  
9 or port authority;

10 (17) members of the Allegheny County Housing Authority  
11 Police and housing police officers employed by a participating  
12 housing authority; and

13 (18) corrections officers or jail guards employed by a  
14 participating county and whose principal duty is the care,  
15 custody and control of inmates;

16 who have served for four consecutive years or longer, diseases  
17 of the heart and tuberculosis of the respiratory system,  
18 contracted or incurred by any of them after four years of  
19 continuous service as such, and caused by extreme overexertion  
20 in times of stress or danger or by exposure to heat, smoke,  
21 fumes or gases, arising directly out of the employment shall be  
22 compensable in accordance with the terms hereof; and unless any  
23 such disability shall be compensable under the compensation laws  
24 as having been caused by accidental injury, such disability  
25 shall be compensable as occupational disease disabilities are  
26 presently compensable under the compensation laws of this  
27 Commonwealth. It shall be presumed that tuberculosis of the  
28 respiratory system contracted or incurred after four consecutive  
29 years of service was contracted or incurred as a direct result  
30 of employment.

1 (c) In the case of any person receiving benefits pursuant to  
2 this act, the statutes of limitations set forth in sections  
3 306.1, 315, 413, and 434 of the act of June 2, 1915 (P.L.736,  
4 No.338), known as the "Workers' Compensation Act," shall not  
5 begin to run until the expiration of the receipt of benefits  
6 pursuant to this act.

7 (d) (1) All payments herein required to be made by the  
8 Commonwealth of Pennsylvania on account of any member of the  
9 State Police Force shall be made from moneys appropriated to the  
10 Pennsylvania State Police.

11 (2) Any payments required to be made on account of any  
12 enforcement officer or investigator employed by the Pennsylvania  
13 Liquor Control Board shall be made from appropriations out of  
14 the State Stores Fund.

15 (3) Any payments required to be made on account of any  
16 parole agent, enforcement officer or investigator employed by  
17 the Pennsylvania Board of Probation and Parole shall be made  
18 from moneys appropriated to the Pennsylvania Board of Probation  
19 and Parole.

20 (4) Any payments required to be made on account of Capitol  
21 Police officers shall be made from moneys appropriated to the  
22 Department of General Services.

23 (5) Any payments required to be made on account of any  
24 correction employe or any commissioned police officer employed  
25 by the Department of Corrections, Bureau of Investigations and  
26 Intelligence, shall be made from moneys appropriated to the  
27 Department of Corrections.

28 (6) Any payments required to be made on account of any  
29 psychiatric security aides shall be made from moneys  
30 appropriated to the Department of Human Services or the

1 Department of Corrections where appropriate.

2 (6.1) Any payments required to be made on account of any  
3 campus police officers employed by a participating university  
4 shall be made from moneys appropriated to the participating  
5 university.

6 (6.2) Any payments required to be made on account of any  
7 DCNR Rangers, DCNR Ranger Supervisors, DCNR Ranger Operations  
8 Specialists, DCNR Ranger Trainees and State Park Officers  
9 employed by the Department of Conservation and Natural Resources  
10 shall be made from moneys appropriated to the Department of  
11 Conservation and Natural Resources.

12 (6.3) Any payments required to be made on account of any  
13 members of the Fort Indiantown Gap Police Force employed by the  
14 Department of Military and Veterans Affairs shall be made from  
15 moneys appropriated to the Department of Military and Veterans  
16 Affairs.

17 (6.4) Any payments required to be made on account of any  
18 investigative staff of the Office of Inspector General shall be  
19 made from moneys appropriated to the Office of Inspector  
20 General.

21 (6.5) Any payments required to be made on account of any  
22 members of the Allegheny County Port Authority Police shall be  
23 made from any moneys appropriated to the Allegheny County Port  
24 Authority.

25 (6.6) Any payments required to be made on account of any  
26 members of a participating transit or port authority shall be  
27 made from moneys appropriated to the participating authority.

28 (6.7) Any payments required to be made on account of any  
29 members of the Allegheny County Housing Authority Police shall  
30 be made from any moneys appropriated to the Allegheny County



1 Housing Authority.

2 (6.8) Any payments required to be made on account of any  
3 members of a participating housing authority shall be made from  
4 moneys appropriated to the housing authority.

5 (7) Any payments required to be made on account of any drug  
6 enforcement agent or special agents shall be made from moneys  
7 appropriated to the Office of Attorney General and any payments  
8 required to be made on account of any fireman employed by the  
9 Commonwealth shall be made from moneys appropriated to the  
10 employing agency.

11 (8) Any payments required to be made on account of any  
12 enforcement officers or investigators of the Pennsylvania Game  
13 Commission shall be made from moneys appropriated to the  
14 Pennsylvania Game Commission or executively authorized from the  
15 Game Fund under 34 Pa.C.S. Ch. 5 Subch. B (relating to Game  
16 Fund).

17 (9) Any payments required to be made on account of any  
18 enforcement officers or investigators of the Pennsylvania Fish  
19 and Boat Commission shall be made from moneys appropriated to  
20 the Pennsylvania Fish and Boat Commission or executively  
21 authorized from the Fish Fund under 30 Pa.C.S. Ch. 5 Subch. B  
22 (relating to the Fish Fund) or the Boat Fund under 30 Pa.C.S.  
23 Ch. 5 Subch. C (relating to the Boat Fund).

24 Section 2.1. For the purposes of this act, the [term  
25 "fireman" shall mean and include the following:] following words  
26 and phrases shall have the meanings given to them in this  
27 section unless the context clearly indicates otherwise:

28 "Fireman." Any of the following:

29 (1) Paid firemen not employed by the Commonwealth.

30 (2) Emergency medical services personnel employed within a

1 city fire department.

2 (3) Firemen of airport authorities, including fire  
3 suppression instructors.

4 (4) Fire and safety marshals who are firemen employed by the  
5 Commonwealth.

6 (5) Fire academy instructors employed at the State Fire  
7 Academy.

8 (6) Assistant fire marshals employed by the Commonwealth.

9 (7) [Forest patrolmen and forest technicians] Forest fire  
10 wardens or wildland firefighters employed by the Commonwealth.

11 "Participating county." A county that elects or bargains to  
12 participate in this act by submitting a notice to the Department  
13 of Labor and Industry, which election shall be irrevocable after  
14 participation in this act commences.

15 "Participating housing authority." A housing authority that  
16 elects or bargains to participate in this act by submitting a  
17 notice to the Department of Labor and Industry, which election  
18 shall be irrevocable after participating in this act commences.

19 "Participating transit or port authority." A transit or port  
20 authority that elects or bargains to participate in this act by  
21 submitting a notice to the Department of Labor and Industry,  
22 which election shall be irrevocable after participating in this  
23 act commences.

24 "Participating university." Any of the following that elects  
25 or bargains to participate in this act by submitting a notice to  
26 the Department of Labor and Industry, which election shall be  
27 irrevocable after participation in this act commences:

28 (1) A State-owned university.

29 (2) A community college.

30 (3) A State-related college or university.

1     (4) A State-aided college or university.

2     Section 2. This act shall take effect in 60 days.