

No. 101

AN ACT

HB 385

Providing for the payment of death benefits to the surviving spouse or children of firemen or law enforcement officers killed in the performance of their duties.

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

Section 1. A political subdivision shall pay to the surviving spouse, or, if there is no surviving spouse, the minor children, of a fireman or law enforcement officer of the political subdivision killed in the performance of his duties the sum of \$25,000. The benefit shall be payable whether or not the officer was killed within the corporate boundaries of the employing municipality.

The Commonwealth of Pennsylvania shall pay to the surviving spouse, or, if there is no surviving spouse, the minor children of a State policeman or other law enforcement officer of the Commonwealth killed in the performance of his duties the sum of \$25,000. The benefit shall be payable whether or not the officer was killed within the Commonwealth of Pennsylvania.

Upon payment of this death benefit by a political subdivision, the political subdivision shall apply to the State Treasurer and be reimbursed for the total amount by the Commonwealth of Pennsylvania. Payments by the Commonwealth or reimbursement to the political subdivisions shall be made out of the General Fund of the Commonwealth of Pennsylvania.

Section 2. "Fireman or law enforcement officer" means a fireman, peace officer as defined in 18 Pa.C.S. § 501 (relating to definitions), public servant concerned in official detention as defined in 18 Pa.C.S. § 5121 (relating to escape), an officer or employee of a State correctional institution, guards or employees of county jails and prisons or other law enforcement officer of the Commonwealth of Pennsylvania or of any political subdivision thereof.

Section 3. This act shall take effect immediately and its provisions shall be retroactive to January 1, 1976.

APPROVED—The 24th day of June, A. D. 1976.

MILTON J. SHAPP