

No. 2002-60

AN ACT

HB 481

Amending the act of June 2, 1915 (P.L.736, No.338), entitled, as reenacted and amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," further providing for workers' compensation premiums for rescue volunteers.

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

Section 1. The act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, reenacted and amended June 21, 1939 (P.L.520, No.281), is amended by adding a section to read:

Section 602. (a) The following shall apply:

(1) A municipality or an area of a municipality which receives emergency services pursuant to a contract, standing agreement or arrangement from a volunteer emergency service provider located in a host municipality shall reimburse the host municipality under the provisions of either clause (2) or (3).

(2) Reimbursement under clause (1) shall be for a portion of the cost of the workers' compensation premiums covering the members of the volunteer emergency service provider. The appropriate portion of the cost shall be determined as follows:

(i) Determine the population ratio of the municipality or the area of the municipality receiving emergency services to the entire population (host municipality and the municipality or the area of the municipality) receiving emergency services from the volunteer emergency service provider. The following shall apply:

(A) No segment of the population of the municipality or area of the municipality receiving emergency services may be included in more than one service area for purposes of calculating the ratio under subclause (i).

(B) If the first due area for fire protection services and the first due area for emergency medical services differ within a municipality or an area of a municipality receiving emergency services, then the ratio under subclause (i) shall be calculated using the first due area for fire protection services.

(ii) Multiply the ratio under subclause (i) by the host municipality's entire cost of the workers' compensation premium for covering members of the volunteer emergency service provider.

(3) The host municipality and the municipality receiving the emergency services may agree to share the cost on some other basis.

(b) As used in this section:

“Emergency services” shall mean any of the following:

- (i) Fire protection services.***
- (ii) Ambulance services.***
- (iii) Emergency medical services.***
- (iv) Quick response services.***
- (v) Emergency management services.***
- (vi) Rescue and lifesaving services.***
- (vii) Hazardous material support services.***
- (viii) Certified hazardous materials response services.***

“Host municipality” shall mean a municipality that is responsible for workers’ compensation premiums for an emergency service provider located within its corporate boundaries.

“Volunteer emergency service provider” shall mean any of the following:

- (i) A volunteer fire company.***
- (ii) A volunteer ambulance corps.***
- (iii) A volunteer quick response service.***
- (iv) A volunteer rescue and lifesaving squad.***
- (v) A volunteer hazardous materials support team.***
- (vi) A volunteer certified municipal emergency management coordinator.***
- (vii) A volunteer hazardous materials response team.***

Section 2. This act shall take effect January 1, 2003.

APPROVED—The 19th day of June, A.D. 2002.

MARK S. SCHWEIKER