

AN ACT

1 Amending the act of June 28, 1935 (P.L.477, No.193), entitled,
2 as amended, "An act providing for the payment of the salary,
3 medical and hospital expenses of members of the State Police
4 Force, of the enforcement officers and investigators employed
5 by the Pennsylvania Liquor Control Board, and the parole
6 agents, enforcement officers and investigators of the
7 Pennsylvania Board of Probation and Parole, Capitol Police
8 officers, correction employes employed by the Department of
9 Corrections whose principal duty is the care, custody and
10 control of inmates, psychiatric security aides employed by
11 the Department of Public Welfare and the Department of
12 Corrections whose principal duty is the care, custody, and
13 control of the criminally insane, drug enforcement agents of
14 the Office of Attorney General whose principal duty is the
15 enforcement of the drug laws of the Commonwealth, special
16 agents of the Office of Attorney General whose principal duty
17 is the enforcement of the criminal laws of the Commonwealth,
18 members of the Delaware River Port Authority Police and of
19 policemen, firemen and park guards by the Commonwealth of
20 Pennsylvania, the Delaware River Port Authority, counties,
21 cities, boroughs, towns and townships, and sheriffs and
22 deputy sheriffs who are injured or contract certain diseases
23 in the performance of their duty; and providing that absence
24 during such injury shall not reduce any usual sick leave
25 period," further providing for disability benefits.

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

28 Section 1. Section 1 of the act of June 28, 1935 (P.L.477,
29 No.193), referred to as the Enforcement Officer Disability

1 Benefits Law, amended March 15, 2006 (P.L.55, No.20) and July 7,
2 2006 (P.L.614, No.95), is amended to read:

3 Section 1. (a) Be it enacted, &c., That any member of the
4 State Police Force, any enforcement officer or investigator
5 employed by the Pennsylvania Liquor Control Board, and the
6 parole agents, enforcement officers and investigators of the
7 Pennsylvania Board of Probation and Parole, Capitol Police
8 officers, campus police officers employed by a State-owned
9 university, community college or State-related college or
10 university, correction employes employed by the Department of
11 Corrections, whose principal duty is the care, custody and
12 control of inmates, psychiatric security aides employed by the
13 Department of Public Welfare and the Department of Corrections,
14 whose principal duty is the care, custody, and control of the
15 criminally insane, drug enforcement agents of the Office of
16 Attorney General whose principal duty is the enforcement of the
17 drug laws of the Commonwealth, special agents of the Office of
18 Attorney General whose principal duty is the enforcement of the
19 criminal laws of the Commonwealth, any member of the Delaware
20 River Port Authority Police, any policeman, fireman or park
21 guard of any county, city, borough, town or township, or any
22 sheriff or deputy sheriff who is injured in the performance of
23 his duties including, in the case of firemen, duty as special
24 fire police, and by reason thereof is temporarily incapacitated
25 from performing his duties, shall be paid by the Commonwealth of
26 Pennsylvania if a member of the State Police Force or an
27 enforcement officer or investigator employed by the Pennsylvania
28 Liquor Control Board or the parole agents, enforcement officers
29 and investigators of the Pennsylvania Board of Probation and
30 Parole, Capitol Police officers, campus police officers employed

1 by a State-owned university, community college or State-related
2 college or university, correction employes employed by the
3 Department of Corrections, whose principal duty is the care,
4 custody and control of inmates, psychiatric security aides
5 employed by the Department of Public Welfare and the Department
6 of Corrections, whose principal duty is the care, custody, and
7 control of the criminally insane, drug enforcement agents of the
8 Office of Attorney General whose principal duty is the
9 enforcement of the drug laws of the Commonwealth, special agents
10 of the Office of Attorney General whose principal duty is the
11 enforcement of the criminal laws of the Commonwealth, or by the
12 Delaware River Port Authority if a member of the Delaware River
13 Port Authority Police or by the county, township or
14 municipality, by which he is employed, his full rate of salary,
15 as fixed by ordinance or resolution, until the disability
16 arising therefrom has ceased. All medical and hospital bills,
17 incurred in connection with any such injury, shall be paid by
18 the Commonwealth of Pennsylvania or by the Delaware River Port
19 Authority or by such county, township or municipality. During
20 the time salary for temporary incapacity shall be paid by the
21 Commonwealth of Pennsylvania or by the Delaware River Port
22 Authority or by the county, city, borough, town or township, any
23 workmen's compensation, received or collected by any such
24 employe for such period, shall be turned over to the
25 Commonwealth of Pennsylvania or to the Delaware River Port
26 Authority or to such county, city, borough, town or township,
27 and paid into the treasury thereof, and if such payment shall
28 not be so made by the employe the amount so due the Commonwealth
29 of Pennsylvania, the Delaware River Port Authority or the
30 county, city, borough, town or township shall be deducted from

1 any salary then or thereafter becoming due and owing.

2 (b) In the case of the State Police Force, enforcement
3 officers and investigators employed by the Pennsylvania Liquor
4 Control Board and the parole agents, enforcement officers and
5 investigators of the Pennsylvania Board of Probation and Parole,
6 Capitol Police officers, campus police officers employed by a
7 State-owned university, community college or State-related
8 college or university, correction employes employed by the
9 Department of Corrections, whose principal duty is the care,
10 custody and control of inmates, psychiatric security aides
11 employed by the Department of Public Welfare and the Department
12 of Corrections whose principal duty is the care, custody, and
13 control of the criminally insane, drug enforcement agents of the
14 Office of Attorney General whose principal duty is the
15 enforcement of the drug laws of the Commonwealth, special agents
16 of the Office of Attorney General whose principal duty is the
17 enforcement of the criminal laws of the Commonwealth, members of
18 the Delaware River Port Authority Police, salaried policemen and
19 firemen, and sheriffs and deputy sheriffs who have served for
20 four consecutive years or longer, diseases of the heart and
21 tuberculosis of the respiratory system, contracted or incurred
22 by any of them after four years of continuous service as such,
23 and caused by extreme overexertion in times of stress or danger
24 or by exposure to heat, smoke, fumes or gases, arising directly
25 out of the employment of any such member of the State Police
26 Force, enforcement officer, investigator employed by the
27 Pennsylvania Liquor Control Board, guard or enforcement officer
28 employed by the Department of Corrections or parole agent,
29 enforcement officer or investigator of the Pennsylvania Board of
30 Probation and Parole, Capitol Police officers, campus police

1 officers employed by a State-owned university, community college
2 or State-related college or university, correction employes
3 employed by the Department of Corrections whose principal duty
4 is the care, custody and control of inmates, psychiatric
5 security aides employed by the Department of Public Welfare and
6 the Department of Corrections whose principal duty is the care,
7 custody, and control of the criminally insane, drug enforcement
8 agents of the Office of Attorney General whose principal duty is
9 the enforcement of the drug laws of the Commonwealth, special
10 agents of the Office of Attorney General whose principal duty is
11 the enforcement of the criminal laws of the Commonwealth, member
12 of the Delaware River Port Authority Police, policeman or
13 fireman, or sheriff or deputy sheriff shall be compensable in
14 accordance with the terms hereof; and unless any such disability
15 shall be compensable under the compensation laws as having been
16 caused by accidental injury, such disability shall be
17 compensable as occupational disease disabilities are presently
18 compensable under the compensation laws of this Commonwealth. It
19 shall be presumed that tuberculosis of the respiratory system
20 contracted or incurred after four consecutive years of service
21 was contracted or incurred as a direct result of employment.

22 (c) In the case of any person receiving benefits pursuant to
23 this act, the statutes of limitations set forth in sections
24 306.1, 315, 413, and 434 of the act of June 2, 1915 (P.L.736,
25 No.338), known as the "Workers' Compensation Act," shall not
26 begin to run until the expiration of the receipt of benefits
27 pursuant to this act.

28 (d) All payments herein required to be made by the
29 Commonwealth of Pennsylvania on account of any member of the
30 State Police Force shall be made from moneys appropriated to the

1 Pennsylvania State Police, and any payments required to be made
2 on account of any enforcement officer or investigator employed
3 by the Pennsylvania Liquor Control Board shall be from
4 appropriations out of the State Stores Fund, any payments
5 required to be made on account of any parole agent, enforcement
6 officer or investigator employed by the Pennsylvania Board of
7 Probation and Parole shall be from moneys appropriated to the
8 Pennsylvania Board of Probation and Parole, any payments
9 required to be made on account of Capitol Police officers shall
10 be made from moneys appropriated to the Department of General
11 Services, any payments required to be made on account of any
12 correction employe shall be made from moneys appropriated to the
13 Department of Corrections, any payments required to be made on
14 account of any psychiatric security aides shall be made from
15 moneys appropriated to the Department of Public Welfare or the
16 Department of Corrections where appropriate, any payments
17 required to be made on account of a campus police officer
18 employed by a State-owned university, community college or
19 State-related college or university shall be made from moneys
20 provided by the State-owned university, community college or
21 State-related college or university and any payments required to
22 be made on account of any drug enforcement agent or special
23 agents shall be made from moneys appropriated to the Office of
24 Attorney General.

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