
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 182 Session of
2023

INTRODUCED BY D. MILLER, GALLOWAY, MADDEN, KENYATTA, CIRESI,
GIRAL, KINSEY, M. MACKENZIE, GUENST, R. MACKENZIE,
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D. WILLIAMS, DELLOSO, VENKAT, McNEILL, ABNEY, HILL-EVANS,
FLEMING, DEASY, FREEMAN, GILLEN AND SHUSTERMAN, MARCH 8, 2023

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MARCH 8, 2023

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in grants to fire companies and
3 emergency medical services companies, establishing the
4 Firefighter Safety Equipment Grant Program in the Office of
5 State Fire Commissioner and the Firefighter Safety Equipment
6 Grant Fund.

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

9 Section 1. Chapter 78 of Title 35 of the Pennsylvania
10 Consolidated Statutes is amended by adding a subchapter to read:

11 SUBCHAPTER F

12 FIREFIGHTER SAFETY EQUIPMENT GRANT PROGRAM

13 Sec.

14 7851. Definitions.

15 7852. Firefighter Safety Equipment Grant Program.

16 7853. Applications.

17 7854. Fire company eligibility.

18 7855. Reimbursements.

1 7856. Annual reports.

2 7857. Distribution of information.

3 7858. Appropriation.

4 § 7851. Definitions.

5 The following words and phrases when used in this subchapter
6 shall have the meanings given to them in this section unless the
7 context clearly indicates otherwise:

8 "Airport fire company." A fire company that does all of the
9 following:

10 (1) Is associated with an airport.

11 (2) Has a mutual aid agreement with a neighboring
12 municipality.

13 (3) Has responded to at least 15 fire or rescue
14 emergency calls annually to neighboring fire companies as
15 provided in documentation requested by the commissioner.

16 "Commissioner." The State Fire Commissioner.

17 "Eligible fire company." A fire company that is eligible
18 under section 7854(b) (relating to fire company eligibility) to
19 receive reimbursement from the fund.

20 "Fire company." A volunteer fire company, a municipal fire
21 company or a combined volunteer and municipal fire company
22 located in this Commonwealth. The term includes an airport fire
23 company.

24 "Firefighter." A career firefighter or volunteer firefighter
25 in good standing with a fire company who actively responded to
26 at least 15 fire or rescue emergencies as determined by the
27 firefighter's fire company during the previous calendar year.

28 "Fund." The Firefighter Safety Equipment Grant Fund
29 established under section 7852(b) (relating to Firefighter
30 Safety Equipment Grant Program).

1 "Municipality." A county, city, borough, incorporated town,
2 township or home rule municipality.

3 "Office." The Office of the State Fire Commissioner.

4 "Personal protective gear." Firefighting equipment,
5 including boots, pants, jacket, hood and helmet that meet
6 occupational safety and health standards under 29 CFR
7 1910.156(e) (relating to fire brigades) for fire response.

8 "Program." The Firefighter Safety Equipment Grant Program
9 established under section 7852(a).

10 "Volunteer fire company." A nonprofit chartered corporation,
11 association or organization located in this Commonwealth that
12 provides fire protection or rescue services within this
13 Commonwealth.

14 § 7852. Firefighter Safety Equipment Grant Program.

15 (a) Establishment.--The Firefighter Safety Equipment Grant
16 Program is established within the office for the purposes of
17 this subchapter.

18 (b) Firefighter Safety Equipment Grant Fund.--The
19 Firefighter Safety Equipment Grant Fund is established as a
20 nonlapsing fund within the State Treasury. The fund shall
21 consist of money appropriated or transferred to the fund by an
22 act of the General Assembly, in addition to any grants, gifts,
23 donations or other payments from other sources. Money in the
24 fund is appropriated on a continuing basis to the office for the
25 purposes of subsection (c).

26 (c) Use.--Money in the fund shall be used for:

27 (1) Reimbursing eligible fire companies for costs
28 incurred for personal protective gear or other protective
29 equipment for firefighters.

30 (2) Administering the provisions of this subchapter.

1 § 7853. Applications.

2 (a) Notice.--The following shall apply:

3 (1) By September 8 of each year, the commissioner shall
4 provide application forms and written instructions for
5 reimbursements from the fund to:

6 (i) The fire chief and president of each volunteer
7 fire company.

8 (ii) The chief executive of each municipality in
9 which a municipal fire company is located.

10 (iii) The head of each combined volunteer and
11 municipal fire company and each airport fire company.

12 (2) The application forms and written instructions for
13 reimbursements from the fund shall be posted on the publicly
14 accessible Internet website of the office.

15 (b) Contents.--An application for reimbursement from the
16 fund must contain the following:

17 (1) The name, address, telephone number and other
18 contact information of the fire company requesting
19 reimbursement.

20 (2) The name of all firefighters to receive a
21 reimbursement for personal protective gear or other
22 protective equipment.

23 (3) Documentation reflecting the out-of-pocket costs
24 borne by the fire company or the firefighter for personal
25 protective gear or other protective equipment to be
26 reimbursed, as well as any certification requirements
27 otherwise prescribed.

28 (4) Any other information required by the office to
29 assist in processing reimbursement from the fund.

30 (c) Completion.--The following shall apply:

1 (1) The period to submit applications for reimbursement
2 from the fund shall remain open for 45 days each year.

3 (2) Completed applications for reimbursement from the
4 fund shall be submitted to the office within the designated
5 time frames and in the form and manner prescribed by the
6 office.

7 (d) Determination.--Within 60 days of the application
8 submission deadline each year, the commissioner shall act to
9 approve or disapprove submitted applications for reimbursement
10 from the fund. Applications that have not been approved or
11 disapproved within 60 days after the close of the application
12 period each year shall be deemed approved.

13 § 7854. Fire company eligibility.

14 (a) Mandate.--Reimbursement from the fund may only be made
15 to an eligible fire company.

16 (b) Criteria.--To be considered an eligible fire company, a
17 fire company must:

18 (1) Actively participate in the Pennsylvania Fire
19 Information Reporting System (PennFIRS) under a signed
20 agreement. The following apply:

21 (i) The commissioner shall develop guidelines
22 specifying the criteria necessary to determine the level
23 of participation in PennFIRS for fire companies to remain
24 eligible for reimbursement from the fund.

25 (ii) The commissioner shall transmit notice of the
26 guidelines under subparagraph (i) to the Legislative
27 Reference Bureau for publication in the Pennsylvania
28 Bulletin.

29 (2) Certify that a firefighter be in good standing with
30 the fire company for at least the last 24 months to receive

1 reimbursement from the fund.

2 (3) Certify that a firefighter who obtained personal
3 protective gear and for whom reimbursement is sought from the
4 fund has received the minimum level of Firefighter 2 under
5 the Pennsylvania State Fire Academy standards before the
6 reimbursement application is made.

7 (4) Certify that a firefighter to receive reimbursement
8 or for whom a fire company is receiving reimbursement:

9 (i) has not received reimbursement for gear under
10 the program for the preceding five years; or

11 (ii) is replacing personal protective gear
12 permanently taken out of service due to incident response
13 or training exercise.

14 § 7855. Reimbursements.

15 (a) Retention of reimbursement.--If a fire company receives
16 reimbursement for costs that were paid directly by the fire
17 company on behalf of a firefighter, the fire company may retain
18 the reimbursement.

19 (b) Distribution of reimbursement.--If a fire company
20 receives reimbursement for costs that were paid directly by the
21 firefighter, the fire company shall distribute the reimbursement
22 to the firefighter as soon as practicable.

23 (c) Amount.--The amount of a reimbursement under subsection
24 (a) shall be commensurate with the actual expenses incurred and
25 shall not exceed \$4,500 per firefighter.

26 (d) Pro rata reimbursements.--Reimbursements shall be made
27 on a pro rata basis if the total dollar amount of the approved
28 applications exceeds the amount of money available in the fund
29 to provide the reimbursements.

30 § 7856. Annual reports.

1 (a) Requirement.--No later than September 1 of each year,
2 the office shall issue an annual report, which shall include all
3 of the following information:

4 (1) The money in the fund at the beginning of the
5 previous fiscal year and the balance in the fund at the end
6 of the previous fiscal year.

7 (2) The number of reimbursement applications received by
8 the office during the previous fiscal year.

9 (3) The number of reimbursements made during the
10 previous fiscal year.

11 (4) The fire companies to which reimbursements were made
12 during the previous fiscal year.

13 (5) The total dollar amount of reimbursements made
14 during the previous fiscal year.

15 (b) Submittal.--Each report under this section shall be
16 posted on the publicly accessible Internet website of the office
17 and submitted to the following:

18 (1) The chairperson and minority chairperson of the
19 Veterans Affairs and Emergency Preparedness Committee of the
20 Senate.

21 (2) The chairperson and minority chairperson of the
22 Veterans Affairs and Emergency Preparedness Committee of the
23 House of Representatives.

24 § 7857. Distribution of information.

25 The office shall annually distribute information on the fund
26 to all fire companies in this Commonwealth, including
27 reimbursement procedures and eligibility criteria.

28 § 7858. Appropriation.

29 Money necessary to administer this chapter shall be provided
30 by an annual appropriation by the General Assembly.

1 Section 2. This act shall take effect in 90 days.