
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2957 Session of
2020

INTRODUCED BY RABB, SOLOMON, BULLOCK AND MADDEN,
NOVEMBER 5, 2020

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 5, 2020

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 35 (Health and
2 Safety) of the Pennsylvania Consolidated Statutes, in
3 firearms and other dangerous articles, providing for sale or
4 transfer of high-power firearm ammunition; and, in
5 Commonwealth services, further providing for intrastate
6 mutual aid and providing for the PennCorps State defense
7 force.

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

10 Section 1. Title 18 of the Pennsylvania Consolidated
11 Statutes is amended by adding a section to read:

12 § 6111.6. Sale or transfer of high-power firearm ammunition.

13 (a) Sale or transfer.--The sale or transfer of high-power
14 firearm ammunition shall be restricted to active members of the
15 PennCorps who have firearm licenses. The following shall apply:

16 (1) Individuals who possess high-power firearm
17 ammunition upon the effective date of this section may keep
18 the ammunition.

19 (2) An individual legally possessing ammunition under
20 this section may not sell or transfer the ammunition to any

1 other individual except an active PennCorps member.

2 (3) The individual may not buy more ammunition.

3 (b) Offense defined.--It is unlawful for any person other
4 than a PennCorps member to sell or transfer high-power firearm
5 ammunition.

6 (c) Grading.--An individual who sells or transfers, or
7 attempts to sell or transfer, ammunition to an individual who is
8 not an active PennCorps member commits a misdemeanor of the
9 first degree.

10 (d) Definitions.--As used in this section, "high-power
11 firearm ammunition" shall mean the following types of
12 ammunition:

13 (1) Ammunition constructed entirely from one or a
14 combination of tungsten alloys, steel, iron, brass, bronze,
15 beryllium copper or depleted uranium.

16 (2) A full-jacketed projectile larger than .22 caliber
17 and whose jacket has a weight of more than 25% of the total
18 weight of the projectile.

19 (3) Ammunition that is .50 caliber or greater.

20 (4) Flechette ammunition.

21 (5) Ammunition that contains exothermic pyrophoric mesh
22 metal as a projectile and is designed for the sole purpose of
23 throwing or spewing a flame or fireball to simulate a
24 flamethrower.

25 (6) Bolo shells.

26 (7) Hollow Nose, Dum-Dum or other ammunition designed to
27 expand upon impact.

28 Section 2. Subchapter C of Chapter 73 of Title 35 is amended
29 to read:

30 SUBCHAPTER C

1 [INTRASTATE MUTUAL AID

2 Sec.

3 7331. Purpose of subchapter.

4 7332. Definitions.

5 7333. Intrastate Mutual Aid Committee.

6 7334. System.

7 7335. Assistance.

8 7336. License, certificate and permit portability.

9 7337. Insurance.

10 7338. Workers' compensation.

11 7339. Immunity.

12 7340. Effect on other agreements.

13 § 7331. Purpose of subchapter.

14 The purpose of this subchapter is to create a system of
15 intrastate mutual aid between participating political
16 subdivisions within this Commonwealth, whereby each
17 participating political subdivision recognizes that emergencies
18 transcend the boundaries of a political subdivision and that
19 intergovernmental coordination is essential for the protection
20 of lives and property and for the best use of available public
21 and private assets. The system shall provide for mutual
22 assistance among the participating political subdivisions in the
23 prevention of, response to and recovery from threats to public
24 health and safety that are beyond the capability of an affected
25 community to respond. The system shall provide for mutual
26 cooperation among the participating subdivisions in conducting
27 exercises, testing or other training activities.

28 § 7332. Definitions.

29 The following words and phrases when used in this subchapter
30 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Agency." The Pennsylvania Emergency Management Agency.

3 "Committee." The Intrastate Mutual Aid Committee.

4 "Dedicated emergency response organization." Any entity
5 organized, chartered or incorporated in this Commonwealth or
6 chartered by the Congress of the United States for the primary
7 purpose of providing emergency services. The term shall include
8 volunteer, career and combination organizations.

9 "Emergency responder." An individual in the public or
10 private sector who has special skills, qualifications, training,
11 knowledge or experience, whether or not the person possesses a
12 license, certificate, permit or other official recognition for
13 the skills, qualifications, training, knowledge or experience,
14 that would benefit a participating political subdivision in
15 responding to an authorized mutual aid request or participating
16 in an authorized drill or exercise. The term shall include a law
17 enforcement officer, a firefighter, an emergency medical
18 services worker, a physician, nurse or other public health
19 worker, an emergency management official, a coroner or medical
20 examiner, a State-certified hazardous materials team member, a
21 public works worker, a building inspector, an architect, an
22 engineer or other design professional or a person with
23 specialized equipment operations skills or training or with any
24 other skills needed to provide aid in a declared emergency.

25 "Incident." Any event or condition which constitutes an
26 actual or imminent threat to public health and safety, public or
27 private property or the economic well-being of the community.

28 "Incident commander." The individual responsible for all
29 incident-related activities, including the development of
30 strategies and tactics and the ordering and releasing of

1 resources as provided under the National Incident Management
2 System.

3 "Mutual aid." Mutual assistance and sharing of resources
4 among participating political subdivisions in the prevention of,
5 response to and recovery from threats to public health and
6 safety that are beyond the capability of an affected community
7 to respond.

8 "National Incident Management System." The National Incident
9 Management System established by the United States Department of
10 Homeland Security.

11 "Participating political subdivision." A political
12 subdivision that has not opted out of the intrastate mutual aid
13 system.

14 "Political subdivision." Any county, city, borough,
15 incorporated town or township. The term shall include any
16 council of governments established among any of the above.

17 "Requesting political subdivision." A participating
18 political subdivision that requests assistance under this
19 subchapter.

20 "Responding political subdivision." A participating
21 political subdivision that responds to a request for assistance
22 under this subchapter.

23 "System." The intrastate mutual aid system.

24 § 7333. Intrastate Mutual Aid Committee.

25 (a) Establishment.--There is established the Intrastate
26 Mutual Aid Committee.

27 (b) Membership.--The committee shall be comprised of the
28 following members:

29 (1) The director of the agency or a designee, who shall
30 serve as the chairman of the committee.

1 (2) The State Fire Commissioner and the Director of the
2 Bureau of Emergency Medical Services of the Department of
3 Health or any successor bureau or administrative unit having
4 similar responsibilities.

5 (3) Three representatives each from the career fire
6 services, the volunteer fire services and the emergency
7 medical services.

8 (4) Three county emergency management agency directors,
9 one from each agency area, who shall be recommended by the
10 respective agency area directors.

11 (5) One representative each from the State Chiefs of
12 Police Association, the State Fraternal Order of Police and
13 the Pennsylvania State Police.

14 (6) One representative each from the Statewide county
15 and municipal government associations' representative elected
16 officials.

17 (7) Three representatives from county-based 911
18 programs.

19 (8) One representative from the Pennsylvania State
20 Coroners Association.

21 (c) Appointments.--Each member under subsection (b) shall be
22 appointed by the director of the agency, and the appointment
23 shall be based on recommendations from the organizations and
24 associations represented. The county-based 911 members shall be
25 selected from recommendations made by the three agency area
26 directors.

27 (d) Terms of office.--Members shall serve a term of two
28 years and may be appointed for subsequent terms.

29 (e) Duties of committee.--The committee shall do all of the
30 following:

1 (1) Hold at least one meeting each year to review the
2 progress and status of the intrastate mutual aid system.

3 (2) Provide participating political subdivisions with a
4 method to track and evaluate the system.

5 (3) Examine issues facing participating political
6 subdivisions and emergency responders regarding the
7 implementation of this subchapter.

8 (4) Prepare an annual report on the condition and
9 effectiveness of mutual aid in this Commonwealth, which shall
10 be submitted to the chairperson and minority chairperson of
11 the Veterans Affairs and Emergency Preparedness Committee of
12 the Senate and the chairperson and minority chairperson of
13 the Veterans Affairs and Emergency Preparedness Committee of
14 the House of Representatives. This report may contain
15 recommendations for correcting any deficiencies within the
16 system.

17 (5) Develop all of the following:

18 (i) Comprehensive guidelines and procedures that
19 address all of the following:

20 (A) Projected or anticipated costs potentially
21 incurred by a participating political subdivision.

22 (B) Recordkeeping for participating political
23 subdivisions.

24 (C) Reimbursement procedures and other necessary
25 implementation elements.

26 (D) Any other procedures that the committee
27 deems necessary.

28 (ii) Checklists for requesting and providing
29 assistance.

30 (iii) Forms for requests and other records to

1 document the deployment and return of assets.

2 § 7334. System.

3 (a) Establishment.--An intrastate mutual aid system is
4 established for the purpose of providing mutual aid within this
5 Commonwealth.

6 (b) Participation.--

7 (1) All political subdivisions within this Commonwealth
8 shall be a part of the system unless the political
9 subdivision elects not to participate by enacting a
10 resolution declaring their desire not to participate and by
11 submitting a copy of the resolution to the agency and to its
12 county emergency management agency.

13 (2) All political subdivisions within this Commonwealth
14 shall consult with fire and emergency medical services
15 providers to discuss the emergency services needs of the
16 political subdivision.

17 (3) Any political subdivision that elects not to
18 participate in the system, as provided under subsection (a),
19 may at a later date elect to participate in the system by
20 enacting a resolution declaring its desire to participate and
21 by submitting a copy of the resolution to the agency and to
22 its county emergency management agency.

23 (4) Participation by a political subdivision in the
24 system of intrastate mutual aid established by this
25 subchapter shall not be subject to the requirements of 53
26 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental
27 cooperation).

28 (c) Responsibilities.--It shall be the responsibility of
29 each participating political subdivision with jurisdiction over
30 and responsibility for emergency management within that

1 political subdivision to do all of the following:

2 (1) Identify potential hazards that could affect the
3 participating political subdivision using an identification
4 system as developed by the committee common to all
5 participating political subdivisions.

6 (2) Conduct joint planning, intelligence sharing and
7 threat assessment development with contiguous participating
8 political subdivisions.

9 (3) Conduct joint training with contiguous participating
10 political subdivisions at least biennially.

11 (4) Identify and inventory the current services,
12 equipment, supplies, personnel and other resources related to
13 planning, prevention, mitigation, response and recovery
14 activities of the participating political subdivisions in
15 accordance with the National Incident Management System
16 Integration Center resource management guidance.

17 (5) Adopt and implement the standardized incident
18 management system approved by the agency.

19 (6) Adopt and implement the National Incident Management
20 System requirements established by the United States
21 Department of Homeland Security.

22 § 7335. Assistance.

23 (a) Requests.--A participating political subdivision may
24 request assistance of other participating political subdivisions
25 or their designated emergency response organizations. All
26 requests for assistance shall be initiated from the incident
27 commander or authorized designee at an incident location, the
28 county 911 center or the county emergency manager where the
29 incident occurs. All intrastate mutual aid requests for
30 assistance shall be made to the county 911 center or county

1 emergency management coordinator or authorized designee in the
2 responding county. Intrastate mutual aid requests for assistance
3 may also be made through the agency. A written request shall be
4 submitted after a verbal request is made as soon as practicable
5 or within the number of days that the agency, in its discretion,
6 may determine.

7 (b) Response to requests.--A participating political
8 subdivision's obligation to provide assistance in the prevention
9 of, response to and recovery from an incident or in authorized
10 drills or exercises shall be subject to all of the following
11 conditions:

12 (1) A responding political subdivision may withhold
13 resources to the extent necessary to provide reasonable
14 protection and services for its own jurisdiction.

15 (2) Emergency response personnel of a responding
16 political subdivision shall remain under the administrative
17 and policy procedures and control of their respective
18 jurisdiction, including medical protocols, standard operating
19 procedures and other protocols, but shall be under the
20 operational control of the appropriate officials within the
21 incident management system of the requesting political
22 subdivision.

23 (3) Assets and equipment of a responding political
24 subdivision shall remain under the administrative and policy
25 procedures and control of their respective jurisdiction but
26 shall be under the control of the appropriate officials
27 within the incident management system of the requesting
28 political subdivision.

29 (4) The incident commander shall have overall authority
30 and responsibility for conducting incident operations and

1 shall be responsible for the management of all incident
2 operations at the incident site.

3 (c) Reimbursement.--A requesting political subdivision shall
4 reimburse the responding political subdivision in accordance
5 with procedures established by the committee. A responding
6 political subdivision may donate assets of any kind to a
7 participating political subdivision. If a dispute arises
8 regarding reimbursement, involved parties shall make every
9 effort to resolve the dispute within 30 days of written notice
10 of the dispute by the party asserting noncompliance. In the
11 event that the dispute is not resolved within 90 days of the
12 notice of the claim, either party may request the dispute be
13 resolved through arbitration. Any arbitration requested under
14 this subsection shall be conducted under the commercial
15 arbitration rules of the American Arbitration Association.

16 (d) Exceptions.--The provisions of this section shall not
17 apply to specific mutual aid agreements which exist on the
18 effective date of this section and which were made between
19 political subdivisions and emergency response organizations to
20 cover response to routine incidents.

21 § 7336. License, certificate and permit portability.

22 If a person holds a license, certificate or other permit
23 issued by a participating political subdivision or the
24 Commonwealth evidencing qualification in a professional,
25 mechanical or other skill and the assistance of that person or
26 entity is requested by a participating political subdivision,
27 the person shall be deemed to be licensed, certified or
28 permitted in the political subdivision requesting assistance for
29 the duration of the incident response or authorized drills or
30 exercises and subject to any limitations and conditions the

1 chief executive of the participating political subdivision
2 receiving the assistance may prescribe by executive order or
3 otherwise.

4 § 7337. Insurance.

5 A responding political subdivision shall ensure that adequate
6 insurance protection is in effect covering all vehicles and
7 equipment used in response to an intrastate mutual aid request.
8 Personnel of the responding political subdivision shall maintain
9 direct and overall control of all vehicles and equipment
10 utilized in an intrastate mutual aid response and shall ensure
11 that vehicles and equipment are used within intended design
12 specifications.

13 § 7338. Workers' compensation.

14 Notwithstanding any other provision of law, a responding
15 political subdivision shall provide appropriate workers'
16 compensation insurance protection for municipal employees and
17 volunteers representing the responding political subdivision
18 when responding to a request under this system. Personnel of a
19 responding political subdivision who sustain injury or death in
20 the course of and arising out of their employment shall be
21 entitled to all applicable benefits normally available to
22 personnel while performing their duties for their employer.
23 Responders shall receive any additional Federal and State
24 benefits that may be available to them for line-of-duty deaths.

25 § 7339. Immunity.

26 All activities performed under the intrastate mutual aid
27 system are deemed to be governmental functions. For the purposes
28 of liability, all persons responding under the operational
29 control of the requesting political subdivision shall be deemed
30 to be employees of the requesting participating political

1 subdivision. Except in cases of willful misconduct, gross
2 negligence or bad faith, neither the participating political
3 subdivisions nor their employees shall be liable for the death
4 of or injury to persons or for damage to property when complying
5 or attempting to comply with the system. This subchapter shall
6 provide no immunity, rights or privileges for any individual
7 responding to an incident where the response has not been
8 requested by a participating political subdivision.

9 § 7340. Effect on other agreements.

10 Nothing in this subchapter shall preclude participating
11 political subdivisions from entering into supplementary
12 agreements with another political subdivision. Nothing in this
13 subchapter shall affect any other agreement to which a political
14 subdivision may, on the effective date of this section, be a
15 party.] (Reserved).

16 Section 3. Chapter 73 of Title 35 is amended by adding a
17 subchapter to read:

18 SUBCHAPTER C.1

19 PENNCORPS

20 Sec.

21 7331.1. Definitions.

22 7332.1. PennCorps.

23 7333.1. PennCorps Oversight Committee.

24 7334.1. Requests for assistance and reimbursements.

25 7335.1. License, certificate and permit portability.

26 7336.1. Insurance.

27 7337.1. Workers' compensation.

28 7338.1. Immunity.

29 7339.1. Effect on other agreements.

30 7340.1. Grant.

1 § 7331.1. Definitions.

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

5 "Agency." The Pennsylvania Emergency Management Agency.

6 "Committee." The PennCorps Oversight Committee.

7 "Dedicated emergency response organization." An entity
8 organized, chartered or incorporated in this Commonwealth or
9 chartered by the Congress of the United States for the primary
10 purpose of providing emergency services. The term includes
11 volunteer, career and combination organizations.

12 "Emergency responder." An individual in the public or
13 private sector who has special skills, qualifications, training,
14 knowledge or experience, whether or not the person possesses a
15 license, certificate, permit or other official recognition for
16 the skills, qualifications, training, knowledge or experience,
17 that would benefit a participating political subdivision in
18 responding to an authorized aid request or participating in an
19 authorized drill or exercise. The term includes a law
20 enforcement officer, a firefighter, an emergency medical
21 services worker, a physician, nurse or other public health
22 examiner, an emergency management official, a coroner or medical
23 examiner, a State-certified hazardous materials team member, a
24 public works worker, a building inspector, an architect,
25 engineer or other design professional or a person with
26 specialized equipment operations, skills or training or with any
27 other skills needed to provide aid in an emergency.

28 "Incident." An event or condition which constitutes an
29 actual or imminent threat to public health and safety, public or
30 private property or the economic well-being of the community.

1 "Political subdivision." A county, city, borough,
2 incorporated town or township. The term includes a council of
3 governments established among any of the above.

4 § 7332.1. PennCorps.

5 (a) Establishment.--The PennCorps is established as the
6 State defense force of this Commonwealth.

7 (b) Membership.--The PennCorps shall be comprised of members
8 who meet the following requirements:

9 (1) Have been a Pennsylvania resident for at least the
10 last 12 consecutive months.

11 (2) Have no unpaid State fines or penalties.

12 (3) Are a current or retired volunteer firefighter if
13 the potential member is an applicant residing in a
14 municipality where the option is available.

15 (4) Have passed the appropriate physical and
16 psychological tests, within 60 days of membership approval,
17 as determined by the PennCorps Oversight Committee.

18 (c) Benefits.--The following benefits shall be given to each
19 member of PennCorps:

20 (1) A tax-exempt monthly stipend.

21 (2) Two points towards the civil service test for each
22 year of PennCorps service.

23 (3) Tuition assistance with Pennsylvania State System of
24 Higher Education schools.

25 (4) Student loan assistance.

26 (5) Homeownership assistance.

27 (6) Free training and professional development on topics
28 including implicit bias, cultural competency, dispute
29 resolution and any other topics the PennCorps Oversight
30 Committee find necessary.

1 (7) Self-defense training.

2 (d) Duties.--The duties of the members shall include the
3 following:

4 (1) Acting as a substantive alternative or complement to
5 traditional police involvement.

6 (2) Assisting with public health and community safety
7 efforts, including:

8 (i) Contact tracing.

9 (ii) Violence prevention.

10 (iii) Youth engagement and mentorship.

11 (iv) Mental health and wellness interventions.

12 (v) Focused deference and group violence

13 intervention.

14 (vi) Substance abuse disorder work.

15 (vii) Grief counseling.

16 (viii) Trauma-informed care in areas including
17 schools and the court system.

18 (ix) Emergency assistance during natural and man-
19 made disasters.

20 (3) Any other assistance the committee and department
21 find necessary to enhance the well-being and quality of life
22 for all Pennsylvanians.

23 § 7333.1. PennCorps Oversight Committee.

24 (a) Establishment.--The PennCorps Oversight Committee is
25 established.

26 (b) PennCorps Oversight Committee membership.--The PennCorps
27 Oversight Committee shall be comprised of the following members:

28 (1) The director of the agency or a designee, who shall
29 serve as the chairman of the committee.

30 (2) The State Fire Commissioner and the Director of the

1 Bureau of Emergency Medical Services of the Department of
2 Health or any successor bureau or administrative unit having
3 similar responsibilities.

4 (3) Three representatives each from the career fire
5 services, the volunteer fire services and the emergency
6 medical services.

7 (4) Three county emergency management agency directors,
8 one from each agency area, who shall be recommended by the
9 respective agency area directors.

10 (5) One representative each from the Statewide county
11 and municipal government associations' representative elected
12 officials.

13 (6) Three representatives from county-based 911
14 programs.

15 (7) One representative from the Department of Human
16 Services.

17 (8) One representative each from an organization that
18 works with mental health and an organization that works with
19 substance abuse and rehabilitation.

20 (c) Appointments.--Each member under subsection (b) shall be
21 appointed by the director of the agency and the appointment
22 shall be based on recommendations from the organizations and
23 associations represented. The county-based 911 members shall be
24 selected from recommendations made by the three agency area
25 directors.

26 (d) Terms of office.--Members shall serve a term of two
27 years and may be appointed for subsequent terms.

28 (e) Duties of committee.--The committee shall do all of the
29 following:

30 (1) Hold at least one meeting each year to review the

1 progress and status of the PennCorps.

2 (2) Develop the appropriate physical and psychological
3 testing requirements for PennCorps members.

4 (3) Decide upon a tax-exempt stipend for PennCorps
5 service members. The stipend shall be reevaluated every other
6 year.

7 (4) Survey each entity that used the services of the
8 PennCorps during the most recent year to track and evaluate
9 the system.

10 (5) Examine the issues facing each participating entity
11 and discuss ways that PennCorps can assist in the coming
12 year.

13 (6) Prepare an annual report on the condition and
14 effectiveness of PennCorps in this Commonwealth and may
15 contain recommendations for correcting any deficiencies
16 within the system. This report shall be submitted to the
17 General Assembly.

18 (7) Develop all of the following:

19 (i) Comprehensive guidelines and procedures that
20 address all of the following:

21 (A) Projected or anticipated costs potentially
22 incurred by a participating political subdivision.

23 (B) Record keeping for participating political
24 subdivisions.

25 (C) Reimbursement procedures and other necessary
26 implementation elements.

27 (D) Any procedures that the committee deems
28 necessary.

29 (ii) Checklists for requesting and providing
30 assistance.

1 (iii) Forms for requests and other records to
2 document the deployment and return of assets.

3 § 7334.1. Requests for assistance and reimbursements.

4 (a) Requests.--Requests for assistance must be in accordance
5 with the following:

6 (1) A community group, quasi-governmental agency, public
7 sector agency or other entity where PennCorps engagement
8 could be a substantive alternative or complement to
9 traditional police involvement or other services may request
10 PennCorps assistance.

11 (2) Requests for assistance may be made through the
12 agency or to the 911 center or county emergency management
13 coordinator.

14 (3) A written request shall be submitted after a verbal
15 request is made as soon as practicable or within the number
16 of days that the agency, in its discretion, may determine.

17 (b) Reimbursement.--Reimbursements shall be in accordance
18 with the following:

19 (1) The requesting entity shall reimburse the PennCorps
20 in accordance with procedures established by the committee.

21 (2) The PennCorps may choose, in response to a majority
22 vote of the committee, to donate assets of any kind to an
23 entity that shows need.

24 (3) If a dispute arises regarding reimbursement,
25 involved parties shall make every effort to resolve the
26 dispute within 30 days of written notice of the dispute by
27 the party asserting noncompliance.

28 (4) In the event that the dispute is not resolved within
29 90 days of the notice of the claim, either party may request
30 the dispute be resolved through arbitration.

1 (5) Any arbitration requested under this subsection
2 shall be conducted under the commercial arbitration rules of
3 the American Arbitration Association.

4 § 7335.1. License, certificate and permit portability.

5 If a person holds a license, certificate or other permit
6 issued by the person's respective political subdivision or the
7 Commonwealth evidencing qualification in a professional,
8 mechanical or other skill and the assistance of that person or
9 entity is requested by an entity, the person shall be deemed to
10 be licensed, certified or permitted in the political
11 subdivision, county or area that is requesting assistance for
12 the duration of the incident response or authorized drills or
13 exercises and subject to any limitations and conditions the
14 chief executive of the participating entity may prescribe by
15 executive order or otherwise.

16 § 7336.1. Insurance.

17 The agency and the PennCorps Oversight Committee shall ensure
18 that adequate insurance protection is in effect covering all
19 vehicles and equipment used in response to a request for
20 PennCorps assistance. The committee and agency shall maintain
21 direct and overall control of all vehicles and equipment
22 utilized in a PennCorps response and shall ensure that vehicles
23 and equipment are used within intended design specifications.

24 § 7337.1. Workers' compensation.

25 Notwithstanding any other provision of law, the agency shall
26 provide appropriate workers' compensation insurance protection
27 for PennCorps members responding to a request for aid. A member
28 who sustains injury or death in the course of and arising out of
29 the membership shall be entitled to all applicable benefits
30 normally available to personnel while performing their duties

1 for the PennCorps. Responders shall receive any additional
2 Federal and State benefits that may be available for line of
3 duty-deaths.

4 § 7338.1. Immunity.

5 Each activity performed under this subchapter is deemed to be
6 a governmental function. For the purposes of liability, each
7 member responding under PennCorps shall be deemed to be an
8 employee of the agency. Except in cases of willful misconduct,
9 gross negligence or bad faith, neither the agency nor the
10 employee shall be liable for the death or injury to persons or
11 for damage to property when complying or attempting to comply
12 with the system. This subchapter shall provide no immunity,
13 rights or privileges for an individual responding to an incident
14 where the response has not been requested by an appropriate
15 entity.

16 § 7339.1. Effect on other agreements.

17 Nothing in this subchapter shall preclude participating
18 entities from entering into or holding supplementary agreements
19 with other entities for the services offered by PennCorps.

20 § 7340.1. Grant.

21 The agency shall establish a grant for entities who wish to
22 hire PennCorps members who have successfully completed the
23 necessary training to work within the community.

24 Section 4. This act shall take effect in 60 days.