

# Union Calendar No. 488

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5334

[Report No. 107-786]

To ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 2002

Mr. ETHERIDGE (for himself, Mr. HOYER, Mr. WELDON of Pennsylvania, Mr. OXLEY, Mr. ANDREWS, Mr. PASCRELL, Mr. SMITH of Michigan, and Mr. WATT of North Carolina) introduced the following bill; which was referred to the Committee on the Judiciary

NOVEMBER 14, 2002

Additional sponsors: Ms. LEE, Mr. STARK, Mr. ABERCROMBIE, Mr. GUTIERREZ, Mrs. MALONEY of New York, Mr. LAFALCE, Ms. LOFGREN, Mr. SHAYS, Mr. BONIOR, Ms. VELÁZQUEZ, Mrs. JONES of Ohio, Mr. OLVER, Mr. ANDREWS, Mr. OWENS, Mr. BERMAN, Mr. CONYERS, Mr. OSE, Mr. MEEHAN, Mr. BENTSEN, Ms. CARSON of Indiana, Ms. ROSLEHTINEN, Mr. LANTOS, Ms. MCKINNEY, Ms. SOLIS, Mr. NADLER, Mr. HONDA, Ms. WATSON, Mr. GONZALEZ, Ms. ROYBAL-ALLARD, Mr. DOOLEY of California, Mr. BROWN of Ohio, Ms. BALDWIN, Mr. SERRANO, Mr. FARR of California, Mr. TIERNEY, Mr. PALLONE, Ms. MILLENDER-McDONALD, Mr. CLAY, Mr. MARKEY, and Ms. PELOSI

NOVEMBER 14, 2002

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# A BILL

To ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hometown Heroes  
5 Survivors Benefits Act of 2002”.

6 **SEC. 2. FATAL HEART ATTACK OR STROKE ON DUTY PRE-**  
7 **SUMED TO BE DEATH IN LINE OF DUTY FOR**  
8 **PURPOSES OF PUBLIC SAFETY OFFICER SUR-**  
9 **VIVOR BENEFITS.**

10 Section 1201 of the Omnibus Crime Control and Safe  
11 Streets Act of 1968 (42 U.S.C. 3796) is amended by add-  
12 ing at the end the following new subsection:

13 “(k) For purposes of this section, if a public safety  
14 officer dies as the direct and proximate result of a heart  
15 attack or stroke suffered while on duty or within 24 hours  
16 after participating in a training exercise or responding to  
17 an emergency situation, that officer shall be presumed to  
18 have died as the direct and proximate result of a personal  
19 injury sustained in the line of duty.”.

1 **SEC. 3. APPLICABILITY.**

2       Subsection (k) of section 1201 of such Act (as added  
3 by section 2) shall apply to deaths occurring on or after  
4 January 1, 2002.

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