

One Hundred Eighth Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the seventh day of January, two thousand and three*

An Act

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.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Hometown Heroes Survivors Benefits Act of 2003”.

SEC. 2. FATAL HEART ATTACK OR STROKE ON DUTY PRESUMED TO BE DEATH IN LINE OF DUTY FOR PURPOSES OF PUBLIC SAFETY OFFICER SURVIVOR BENEFITS.

Section 1201 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796) is amended by adding at the end the following:

“(k) For purposes of this section, if a public safety officer dies as the direct and proximate result of a heart attack or stroke, that officer shall be presumed to have died as the direct and proximate result of a personal injury sustained in the line of duty, if—

“(1) that officer, while on duty—

“(A) engaged in a situation, and such engagement involved nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

“(B) participated in a training exercise, and such participation involved nonroutine stressful or strenuous physical activity;

“(2) that officer died as a result of a heart attack or stroke suffered—

“(A) while engaging or participating as described under paragraph (1);

“(B) while still on that duty after so engaging or participating; or

“(C) not later than 24 hours after so engaging or participating; and

“(3) such presumption is not overcome by competent medical evidence to the contrary.

S. 459—2

“(l) For purposes of subsection (k), ‘nonroutine stressful or strenuous physical’ excludes actions of a clerical, administrative, or nonmanual nature.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*