

Public Law 108–182  
108th Congress

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.

Dec. 15, 2003

[S. 459]

*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”.

Hometown  
Heroes Survivors  
Benefits Act of  
2003.  
42 USC 3711  
note.

**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.

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

Approved December 15, 2003.

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LEGISLATIVE HISTORY—S. 459:

CONGRESSIONAL RECORD, Vol. 149 (2003):

May 15, considered and passed Senate.

Nov. 21, considered and passed House, amended.

Nov. 25, Senate concurred in House amendment.

