

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 238

Session of
1987

INTRODUCED BY HUTCHINSON AND PETRARCA, FEBRUARY 4, 1987

SENATOR SHUMAKER, LAW AND JUSTICE, IN SENATE, AS AMENDED,
NOVEMBER 15, 1988

AN ACT

1 ~~Amending the act of June 18, 1974 (P.L.359, No.120), entitled~~ <—
2 ~~"An act creating the Municipal Police Officers' Education and~~
3 ~~Training Commission; providing for the commission's~~
4 ~~membership, selection, compensation, and removal; providing~~
5 ~~for the powers and duties of the commission; providing for~~
6 ~~the appointment and duties of the chairman; providing for the~~
7 ~~act's applicability to the civil service laws; requiring~~
8 ~~training by certain political subdivisions and police~~
9 ~~departments; providing penalties for violation thereof; and~~
10 ~~making an appropriation," further defining "police officer."~~
11 AMENDING THE ACT OF JUNE 18, 1974 (P.L.359, NO.120), ENTITLED <—
12 "AN ACT CREATING THE MUNICIPAL POLICE OFFICERS' EDUCATION AND
13 TRAINING COMMISSION; PROVIDING FOR THE COMMISSION'S
14 MEMBERSHIP, SELECTION, COMPENSATION, AND REMOVAL; PROVIDING
15 FOR THE POWERS AND DUTIES OF THE COMMISSION; PROVIDING FOR
16 THE APPOINTMENT AND DUTIES OF THE CHAIRMAN; PROVIDING FOR THE
17 ACT'S APPLICABILITY TO THE CIVIL SERVICE LAWS; REQUIRING
18 TRAINING BY CERTAIN POLITICAL SUBDIVISIONS AND POLICE
19 DEPARTMENTS; PROVIDING PENALTIES FOR VIOLATION THEREOF; AND
20 MAKING AN APPROPRIATION," FURTHER PROVIDING FOR THE
21 MEMBERSHIP AND DUTIES OF THE COMMISSION; EXTENDING COVERAGE
22 OF THE ACT; FURTHER PROVIDING FOR TRAINING FOR CERTIFICATION
23 OF INSTRUCTORS AND FOR REIMBURSEMENT OF CERTAIN MUNICIPAL
24 COSTS; INCREASING PENALTIES; AND EXTENDING PROVISIONS OF
25 COMMISSION FOR SUNSET PURPOSES.

26 The General Assembly of the Commonwealth of Pennsylvania
27 hereby enacts as follows:

28 ~~Section 1. Section 2(3) of the act of June 18, 1974 (P.L.359,~~ <—

~~No.120), referred to as the Municipal Police Education and Training Law, amended December 20, 1984 (P.L.1197, No.227), is amended to read:~~

~~Section 2. Definitions. As used in this act:~~

~~* * *~~

~~(3) "Police officer" means any full time or part time employe, of a city, borough, town, township or county police department assigned to criminal and/or traffic law enforcement duties, and for the purpose of training only, security officers of first class city housing authority and park guards or park policemen[,] as provided in section 2511 of the act of August 9, 1955 (P.L.323, No.130), known as "The County Code," but shall exclude persons employed to check parking meters and/or to perform only administrative duties, auxiliary and fire police.~~

~~* * *~~

~~Section 2. This act shall take effect in 60 days.~~

SECTION 1. SECTION 2 OF THE ACT OF JUNE 18, 1974 (P.L.359, NO.120), REFERRED TO AS THE MUNICIPAL POLICE EDUCATION AND TRAINING LAW, IS AMENDED BY ADDING A CLAUSE TO READ:

SECTION 2. DEFINITIONS.--AS USED IN THIS ACT:

* * *

(7) "CERTIFICATION" MEANS THE ASSIGNMENT OF A CERTIFICATION NUMBER TO A POLICE OFFICER AFTER SUCCESSFUL COMPLETION OF A MANDATORY BASIC TRAINING COURSE OR RECEIPT OF A WAIVER OF BASIC TRAINING FROM THE COMMISSION AND SUCCESSFUL COMPLETION OF MANDATORY IN-SERVICE TRAINING. CERTIFICATION IS FOR A PERIOD OF TWO YEARS.

SECTION 2. SECTION 4(A) OF THE ACT, AMENDED DECEMBER 20, 1984 (P.L.1197, NO.227), IS AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 4. COMMISSION MEMBERS; SELECTION, COMPENSATION AND
REMOVAL.--(A) THE COMMISSION SHALL BE COMPOSED OF [NINETEEN]
TWENTY MEMBERS AS FOLLOWS:

(1) THE SECRETARY OF THE DEPARTMENT OF COMMUNITY AFFAIRS.

(2) THE ATTORNEY GENERAL OF THE COMMONWEALTH.

(3) THE COMMISSIONER OF THE PENNSYLVANIA STATE POLICE, WHO
SHALL SERVE AS CHAIRMAN OF THE COMMISSION.

(4) A MEMBER OF THE SENATE OF PENNSYLVANIA, TO BE APPOINTED
BY THE PRESIDENT PRO TEMPORE OF THE SENATE.

(5) A MEMBER OF THE PENNSYLVANIA HOUSE OF REPRESENTATIVES,
TO BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

(6) FOUR ELECTED OFFICIALS OF THE VARIOUS POLITICAL
SUBDIVISIONS OF THE COMMONWEALTH, TO BE APPOINTED BY THE
GOVERNOR; ONE TO BE A BOROUGH OFFICIAL, ONE A FIRST CLASS
TOWNSHIP OFFICIAL, ONE A SECOND CLASS TOWNSHIP OFFICIAL, AND ONE
A CITY OFFICIAL.

(7) FOUR INCUMBENT CHIEFS OF POLICE FROM THE VARIOUS
POLITICAL SUBDIVISIONS OF THE COMMONWEALTH, TO BE APPOINTED BY
THE GOVERNOR; AT LEAST ONE TO BE A CHIEF OF A BOROUGH POLICE
DEPARTMENT, AT LEAST ONE TO BE A CHIEF OF A TOWNSHIP POLICE
DEPARTMENT, AT LEAST ONE TO BE A CHIEF OF A CITY POLICE
DEPARTMENT.

(8) ONE FEDERAL BUREAU OF INVESTIGATION SPECIAL AGENT-IN-
CHARGE TO BE APPOINTED BY THE GOVERNOR.

(9) ONE EDUCATOR QUALIFIED IN THE FIELD OF LAW ENFORCEMENT,
TO BE APPOINTED BY THE GOVERNOR.

(10) ONE MEMBER REPRESENTING THE PUBLIC AT LARGE, TO BE
APPOINTED BY THE GOVERNOR.

(11) TWO NONCOMMISSIONED POLICE OFFICERS TO BE APPOINTED BY
THE GOVERNOR.

(12) THE POLICE COMMISSIONER OF A CITY OF THE FIRST CLASS OR HIS DESIGNEE.

(13) A DIRECTOR OF ONE OF THE CERTIFIED TRAINING SCHOOLS TO BE APPOINTED BY THE GOVERNOR.

* * *

(F) THE DESIGNATED PUBLIC MEMBER MAY NOT BE NOR MAY NOT HAVE BEEN A POLICE OFFICER AND IS NOT AFFILIATED NOR HAS EVER BEEN AFFILIATED WITH A POLICE DEPARTMENT OR TRAINING SCHOOL.

SECTION 3. SECTIONS 5 AND 6 OF THE ACT ARE AMENDED TO READ:

SECTION 5. POWERS AND DUTIES OF THE COMMISSION.--THE POWERS AND DUTIES OF THE COMMISSION SHALL BE AS FOLLOWS:

(1) TO ESTABLISH AND ADMINISTER THE MINIMUM COURSES OF STUDY [AND] FOR BASIC AND IN-SERVICE TRAINING FOR MUNICIPAL POLICE OFFICERS AND TO REVOKE AN OFFICER'S CERTIFICATION FOR FAILURE TO COMPLY WITH THE BASIC AND IN-SERVICE TRAINING REQUIREMENTS OR IN CASES WHERE AN OFFICER IS CONVICTED OF A CRIMINAL OFFENSE OR THE COMMISSION DETERMINES THAT THE OFFICER IS PHYSICALLY OR MENTALLY UNFIT TO PERFORM THE DUTIES OF HIS OFFICE.

[(2) TO ESTABLISH COURSES OF STUDY AND IN-SERVICE TRAINING FOR MUNICIPAL POLICE OFFICERS APPOINTED PRIOR TO THE EFFECTIVE DATE OF THIS ACT.]

(3) TO APPROVE OR REVOKE THE APPROVAL OF ANY SCHOOL WHICH MAY BE UTILIZED TO COMPLY WITH THE EDUCATIONAL AND TRAINING REQUIREMENTS AS ESTABLISHED BY THE COMMISSION.

(4) TO ESTABLISH THE MINIMUM QUALIFICATIONS FOR INSTRUCTORS TO APPROVE OR REVOKE THE APPROVAL OF ANY INSTRUCTOR AND TO DEVELOP THE REQUIREMENTS FOR CONTINUED CERTIFICATION.

(5) TO PROMOTE THE MOST EFFICIENT AND ECONOMICAL PROGRAM FOR POLICE TRAINING BY UTILIZING EXISTING FACILITIES, PROGRAMS AND QUALIFIED STATE, LOCAL AND FEDERAL POLICE PERSONNEL.

1 (6) TO MAKE AN ANNUAL REPORT TO THE GOVERNOR AND TO THE
2 GENERAL ASSEMBLY CONCERNING (I) THE ADMINISTRATION OF THE
3 MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING PROGRAM, AND
4 (II) THE ACTIVITIES OF THE COMMISSION, TOGETHER WITH
5 RECOMMENDATIONS FOR EXECUTIVE OR LEGISLATIVE ACTION NECESSARY
6 FOR THE IMPROVEMENT OF LAW ENFORCEMENT AND THE ADMINISTRATION OF
7 JUSTICE.

8 (7) TO REQUIRE EVERY POLICE OFFICER TO ATTEND A MINIMUM
9 NUMBER OF HOURS OF IN-SERVICE TRAINING AS PROVIDED FOR BY
10 REGULATION, UNLESS THE OFFICER'S EMPLOYER FILES A SHOW CAUSE
11 DOCUMENT WITH THE COMMISSION, REQUESTING ADDITIONAL TIME FOR
12 SUCH OFFICER TO COMPLY WITH THE IN-SERVICE TRAINING
13 REQUIREMENTS. APPROVAL OF SUCH REQUEST SHALL BE MADE BY THE
14 COMMISSION ON A CASE-BY-CASE BASIS.

15 (8) TO REQUIRE ALL POLICE OFFICERS TO UNDERGO A BACKGROUND
16 INVESTIGATION TO DETERMINE THE INDIVIDUAL'S SUITABILITY FOR
17 EMPLOYMENT AS A POLICE OFFICER. THIS INVESTIGATION SHALL BE
18 COMPLETED PRIOR TO THE EMPLOYMENT OF SUCH OFFICER AND SHALL
19 INCLUDE, BUT NOT BE LIMITED TO, A CRIMINAL HISTORY CHECK, A
20 CREDIT CHECK, PERSONAL INTERVIEWS AND ANY OTHER APPLICABLE MEANS
21 OF DETERMINING ELIGIBILITY. AN APPLICANT WHO HAS BEEN CONVICTED
22 OF A FELONY OR SERIOUS MISDEMEANOR SHALL NOT BE ELIGIBLE FOR
23 EMPLOYMENT AS A POLICE OFFICER.

24 (9) TO REQUIRE MINIMUM STANDARDS FOR PHYSICAL FITNESS,
25 PSYCHOLOGICAL EVALUATION AND EDUCATION AS PREREQUISITES TO
26 EMPLOYMENT AS A POLICE OFFICER.

27 (10) TO APPOINT AN EXECUTIVE DIRECTOR TO ADMINISTER THE
28 TRAINING PROGRAM ESTABLISHED BY THIS ACT. THE POSITION OF
29 EXECUTIVE DIRECTOR SHALL BE FILLED BY THE COMMISSION WHO SHALL
30 SELECT THE BEST QUALIFIED PERSON FROM A LIST OF THREE PERSONS

1 NOMINATED BY THE PENNSYLVANIA STATE POLICE COMMISSIONER. THE
2 PERSON WHO RECEIVES A SIMPLE MAJORITY OF THOSE MEMBERS PRESENT
3 AND VOTING SHALL BECOME THE EXECUTIVE DIRECTOR. IF THE
4 COMMISSION REJECTS ALL NOMINEES, THEN THE PROCESS SHALL BE
5 REPEATED UNTIL A PERSON IS SELECTED. THE EXECUTIVE DIRECTOR
6 SHALL BE DIRECTLY RESPONSIBLE TO THE COMMISSION AND MAY BE
7 DISMISSED ONLY BY TWO-THIRDS VOTE OF THE COMMISSION. THE
8 EXECUTIVE DIRECTOR SHALL EMPLOY A SUFFICIENT STAFF, INCLUDING
9 PROFESSIONAL, ADMINISTRATIVE AND CLERICAL PERSONNEL TO PERFORM
10 THE TASKS OF HIS OFFICE, INCLUDING THE PREPARATION OF AN ANNUAL
11 BUDGET.

12 [SECTION 6. POWERS AND DUTIES OF THE COMMISSIONER.--THE
13 DUTIES OF THE COMMISSIONER SHALL BE AS FOLLOWS:

14 (1) TO IMPLEMENT AND ADMINISTER THE MINIMUM COURSES OF STUDY
15 AND TRAINING FOR MUNICIPAL POLICE OFFICERS AS SET BY THE
16 COMMISSION.

17 (2) TO ISSUE CERTIFICATES OF APPROVAL TO SCHOOLS APPROVED BY
18 THE COMMISSION AND TO WITHDRAW CERTIFICATES OF APPROVAL FROM
19 THOSE SCHOOLS DISAPPROVED BY THE COMMISSION.

20 (3) TO CERTIFY INSTRUCTORS PURSUANT TO THE MINIMUM
21 QUALIFICATIONS ESTABLISHED BY THE COMMISSION.

22 (4) TO IMPLEMENT AND ADMINISTER COURSES OF STUDY AND IN-
23 SERVICE TRAINING FOR MUNICIPAL POLICE OFFICERS APPOINTED PRIOR
24 TO THE EFFECTIVE DATE OF THIS ACT AS ESTABLISHED BY THE
25 COMMISSION.

26 (5)] (11) TO CONSULT, AND COOPERATE WITH, UNIVERSITIES,
27 COLLEGES, COMMUNITY COLLEGES AND INSTITUTES FOR THE DEVELOPMENT
28 OF SPECIALIZED COURSES FOR MUNICIPAL POLICE OFFICERS.

29 [(6)] (12) TO CONSULT AND COOPERATE WITH, DEPARTMENTS AND
30 AGENCIES OF THIS COMMONWEALTH AND OTHER STATES AND THE FEDERAL

1 GOVERNMENT CONCERNED WITH POLICE TRAINING.

2 [(7)] (13) TO CERTIFY POLICE OFFICERS WHO HAVE
3 SATISFACTORILY COMPLETED BASIC EDUCATIONAL AND TRAINING
4 REQUIREMENTS AS ESTABLISHED BY THE COMMISSION AND TO ISSUE
5 APPROPRIATE CERTIFICATES TO SUCH POLICE OFFICERS.

6 [(8)] (14) TO VISIT AND INSPECT APPROVED SCHOOLS AT LEAST
7 ONCE A YEAR.

8 [(9)] (15) TO MAKE SUCH RULES AND REGULATIONS AND TO PERFORM
9 SUCH OTHER DUTIES AS MAY BE REASONABLY NECESSARY OR APPROPRIATE
10 TO IMPLEMENT THE EDUCATION AND TRAINING PROGRAM FOR POLICE
11 OFFICERS.

12 (16) TO GRANT WAIVERS OF MANDATORY BASIC TRAINING TO POLICE
13 OFFICERS WHO HAVE SUCCESSFULLY COMPLETED PREVIOUS EQUIVALENT
14 TRAINING OR WHO HAVE ACCEPTABLE FULL-TIME POLICE EXPERIENCE, OR
15 BOTH.

16 SECTION 4. SECTION 7 OF THE ACT, AMENDED DECEMBER 22, 1981
17 (P.L.523, NO.146), IS AMENDED TO READ:

18 SECTION 7. MEETINGS; QUORUM.--[THE CHAIRMAN SHALL SUMMON THE
19 MEMBERS OF THE COMMISSION TO THE FIRST MEETING WITHIN ONE
20 HUNDRED TWENTY DAYS OF ENACTMENT.] THE COMMISSION SHALL MEET AT
21 LEAST FOUR TIMES EACH YEAR. SPECIAL MEETINGS MAY BE CALLED BY
22 THE CHAIRMAN OF THE COMMISSION, OR UPON WRITTEN REQUEST OF FIVE
23 MEMBERS. A QUORUM SHALL CONSIST OF [TEN] ELEVEN MEMBERS OF THE
24 COMMISSION.

25 SECTION 5. SECTION 9 OF THE ACT IS AMENDED TO READ:

26 SECTION 9. POLICE TRAINING MANDATORY; PENALTIES.--(A) ALL
27 POLITICAL SUBDIVISIONS OF THE COMMONWEALTH OR GROUPS OF
28 POLITICAL SUBDIVISIONS ACTING IN CONCERT SHALL BE REQUIRED TO
29 TRAIN ALL MEMBERS OF THEIR POLICE DEPARTMENTS [HIRED BY THEM]
30 PRIOR TO ACTUALLY PERFORMING CRIMINAL OR TRAFFIC DUTIES OR BEING

1 AUTHORIZED TO CARRY A FIREARM AFTER THE EFFECTIVE DATE OF THIS
2 ACT, PURSUANT TO THE PROVISIONS OF THIS ACT.

3 (B) THOSE MUNICIPAL POLICE OFFICERS EMPLOYED ON THE
4 EFFECTIVE DATE OF THIS SUBSECTION SHALL BE ABLE TO PERFORM
5 CRIMINAL OR TRAFFIC DUTIES AND BE AUTHORIZED TO CARRY A FIREARM
6 UNTIL CERTIFIED BY THE COMMISSION, BUT NO LONGER THAN ONE YEAR
7 FROM THEIR DATE OF EMPLOYMENT.

8 (C) ANY PERSON HIRED AS A MUNICIPAL POLICE OFFICER BY ANY
9 POLITICAL SUBDIVISION OR GROUP THEREOF ACTING IN CONCERT [AFTER
10 THE EFFECTIVE DATE OF THIS ACT] SHALL BE [AT THE END OF ONE YEAR
11 FROM THE DATE OF HIS EMPLOYMENT] INELIGIBLE TO RECEIVE ANY
12 SALARY, COMPENSATION OR OTHER CONSIDERATION OR THING OF VALUE
13 FOR THE PERFORMANCE OF HIS DUTIES AS A POLICE OFFICER UNLESS HE
14 HAS MET ALL OF THE REQUIREMENTS AS ESTABLISHED BY THE [MUNICIPAL
15 POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION] COMMISSION
16 AND HAS BEEN DULY CERTIFIED AS HAVING MET THOSE REQUIREMENTS BY
17 THE [COMMISSIONER, UNLESS THE POLICE OFFICER IS GRANTED
18 ADDITIONAL TIME TO COMPLETE HIS TRAINING BY THE COMMISSIONER]
19 COMMISSION. [HOWEVER, SUCH PERSONS HIRED AS A MUNICIPAL POLICE
20 OFFICER WILL BE GIVEN A GRACE PERIOD OF TWO YEARS FROM THE
21 EFFECTIVE DATE OF THIS ACT BEFORE HE BECOMES INELIGIBLE TO
22 RECEIVE SALARY, COMPENSATION OR OTHER CONSIDERATION OF THING OF
23 VALUE.]

24 (D) ANY OFFICIAL OF ANY POLITICAL SUBDIVISION WHO ORDERS,
25 AUTHORIZES OR PAYS AS SALARY TO A PERSON IN VIOLATION OF THE
26 PROVISIONS OF THIS ACT SHALL ON SUMMARY CONVICTION THEREOF BE
27 SENTENCED TO PAY A FINE OF ONE HUNDRED DOLLARS (\$100) OR BE
28 IMPRISONED FOR A TERM NOT TO EXCEED A PERIOD OF THIRTY DAYS. THE
29 COMMISSION MAY STOP PAYMENT OF ALL FUNDS WHICH PASS TO
30 MUNICIPALITIES BY THIS ACT FOR ANY VIOLATION OF THIS ACT. IT

1 SHALL NOTIFY THE STATE TREASURER TO DISCONTINUE DISBURSEMENT OF
2 ANY STATE FUNDS UNTIL A MUNICIPALITY IS IN COMPLIANCE WITH THIS
3 ACT.

4 SECTION 6. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

5 SECTION 9.1. AUTOMATIC CERTIFICATION.--ALL MUNICIPAL POLICE
6 OFFICERS HIRED PRIOR TO JUNE 18, 1974, SHALL BE AUTOMATICALLY
7 CERTIFIED FOR BASIC TRAINING BUT SHALL BE REQUIRED TO COMPLETE
8 THE IN-SERVICE TRAINING AS SET FORTH IN SECTION 5(7).

9 SECTION 9.2. IN-SERVICE TRAINING BY EXISTING PERSONNEL.--THE
10 REQUIREMENTS OF SECTION 5(7) SHALL APPLY TO EVERY MUNICIPAL
11 POLICE OFFICER.

12 SECTION 7. SECTION 10 OF THE ACT, AMENDED OCTOBER 11, 1984
13 (P.L.869, NO.168), IS AMENDED TO READ:

14 SECTION 10. REIMBURSEMENT OF EXPENSES.--(A) THE
15 COMMISSION[, THROUGH THE COMMISSIONER,] SHALL PROVIDE FOR
16 REIMBURSEMENT TO EACH POLITICAL SUBDIVISION OF ONE HUNDRED PER
17 CENT OF THE ALLOWABLE TUITION AND THE ORDINARY AND NECESSARY
18 LIVING AND TRAVEL EXPENSES INCURRED BY THEIR POLICE OFFICERS
19 WHILE ATTENDING CERTIFIED MUNICIPAL POLICE BASIC TRAINING
20 SCHOOLS, PROVIDING SAID POLITICAL SUBDIVISION ADHERES TO THE
21 TRAINING STANDARDS ESTABLISHED BY THE COMMISSION. THE REGULAR
22 SALARY OF POLICE OFFICERS WHILE ATTENDING APPROVED SCHOOLS,
23 WITHIN THE MEANING OF THIS ACT, SHALL BE PAID BY THE EMPLOYING
24 POLITICAL SUBDIVISION. FIFTY PER CENT OF THE REGULAR SALARIES OF
25 POLICE OFFICERS WHILE ATTENDING APPROVED SCHOOLS WITHIN THE
26 MEANING OF THE ACT SHALL BE REIMBURSED BY THE COMMISSION TO THE
27 EMPLOYING POLITICAL SUBDIVISION. [THIS ACT SHALL NOT BE
28 CONSTRUED TO PRECLUDE THE EMPLOYING POLITICAL SUBDIVISION FROM
29 APPLYING FOR GRANTS FROM THE GOVERNOR'S JUSTICE COMMISSION UNDER
30 THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 FOR THE

1 PAYMENT OF SALARY TO A SUBSTITUTE POLICE OFFICER WHILE THE
2 PERMANENT OFFICER IS ATTENDING SUCH SCHOOL.] FOR THE FISCAL YEAR
3 BEGINNING JULY 1, 1989, TO JUNE 30, 1990, AND FOR EACH YEAR
4 THEREAFTER SEVENTY-FIVE PER CENT OF THE REGULAR SALARIES OF
5 POLICE OFFICERS WHILE ATTENDING APPROVED SCHOOLS WITHIN THE
6 MEANING OF THIS ACT SHALL BE REIMBURSED BY THE COMMISSION TO THE
7 EMPLOYING POLITICAL SUBDIVISION. THE COMMISSION SHALL REQUIRE
8 WRITTEN DOCUMENTATION OF ALL EXPENSES INCURRED BY POLITICAL
9 SUBDIVISIONS RELATING TO THE TRAINING OF MUNICIPAL POLICE
10 OFFICERS FOR THE PURPOSES OF REIMBURSEMENT BY THE COMMISSION.
11 ALL MUNICIPALITIES SHALL ANNUALLY AUDIT THESE FUNDS AS PART OF
12 THEIR ANNUAL AUDIT AND SUBMIT A COPY OF SUCH AUDIT TO THE
13 COMMISSION. FAILURE TO PERFORM THE AUDIT AND SUBMIT A COPY OF IT
14 TO THE COMMISSION SHALL RENDER THE MUNICIPALITY IN VIOLATION OF
15 THIS ACT.

16 (B) THE COMMISSION[, THROUGH THE COMMISSIONER, SHALL PROVIDE
17 GRANTS AS A REIMBURSEMENT FOR ACTUAL EXPENSES INCURRED BY
18 POLITICAL SUBDIVISIONS OF THE COMMONWEALTH FOR THE PROVIDING OF
19 TRAINING PROGRAMS TO POLICEMEN FROM OTHER JURISDICTIONS WITHIN
20 THE COMMONWEALTH,] MAY APPROVE IN-SERVICE TRAINING GRANTS FOR
21 ACTUAL EXPENSES INCURRED BY POLITICAL SUBDIVISIONS OF THE
22 COMMONWEALTH FOR THE PROVIDING OF NONMANDATORY TRAINING PROGRAMS
23 TO POLICE OFFICERS IN ACCORDANCE WITH THIS ACT.

24 (C) ALL POLITICAL SUBDIVISIONS OF THE COMMONWEALTH OR GROUPS
25 OF POLITICAL SUBDIVISIONS ACTING IN CONCERT MAY MAKE APPLICATION
26 TO THE [COMMISSIONER] COMMISSION FOR FUNDING PURSUANT TO THE
27 PROVISIONS OF THIS ACT. THE APPLICATION SHALL BE ACCOMPANIED BY
28 A CERTIFIED COPY OF A RESOLUTION OR RESOLUTIONS ADOPTED BY ITS
29 GOVERNING BODY OR BODIES PROVIDING THAT, WHILE RECEIVING ANY
30 STATE FUNDS PURSUANT TO THIS ACT, THE POLITICAL SUBDIVISION OF

1 THE COMMONWEALTH OR GROUP OF POLITICAL SUBDIVISIONS ACTING IN
2 CONCERT WILL ADHERE TO THE STANDARDS FOR TRAINING ESTABLISHED BY
3 THE COMMISSION. THE APPLICATION SHALL CONTAIN SUCH INFORMATION
4 AS THE [COMMISSIONER] COMMISSION MAY REQUEST.

5 (D) IF A POLICE OFFICER, WITHIN TWO YEARS FOLLOWING
6 CERTIFICATION, TERMINATES HIS EMPLOYMENT WITH THE POLITICAL
7 SUBDIVISION BY WHICH HE WAS EMPLOYED AT THE TIME HE WAS DULY
8 CERTIFIED AS HAVING MET THE COMMISSION'S REQUIREMENT AND
9 THEREAFTER OBTAINS EMPLOYMENT AS A POLICE OFFICER WITH ANOTHER
10 POLITICAL SUBDIVISION, THE POLITICAL SUBDIVISION WHICH EMPLOYS
11 THE PREVIOUSLY CERTIFIED POLICE OFFICER SHALL REIMBURSE THE
12 POLITICAL SUBDIVISION WHICH FORMERLY EMPLOYED THE POLICE OFFICER
13 FOR THE NONREIMBURSABLE PORTION OF THE SALARY PAID TO THE POLICE
14 OFFICER WHILE COMPLYING WITH THE PROVISIONS OF THIS ACT.

15 (E) THE COMMISSION SHALL HAVE THE AUTHORITY TO PAY FOR THE
16 COST OF MANDATORY IN-SERVICE TRAINING FOR ALL POLICE OFFICERS,
17 TO THE EXTENT DETERMINED BY THE COMMISSION.

18 SECTION 8. THIS ACT, WITH RESPECT TO THE MUNICIPAL POLICE
19 OFFICERS' EDUCATION AND TRAINING COMMISSION, CONSTITUTES THE
20 LEGISLATION REQUIRED TO REESTABLISH AN AGENCY UNDER THE ACT OF
21 DECEMBER 22, 1981 (P.L.508, NO.142), KNOWN AS THE SUNSET ACT.

22 SECTION 9. THE PRESENTLY CONFIRMED MEMBERS OF THE EXISTING
23 MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION, AS
24 OF DECEMBER 31, 1988, SHALL CONTINUE TO SERVE AS MEMBERS UNTIL
25 THEIR PRESENT TERMS OF OFFICE EXPIRE.

26 SECTION 10. EACH RULE, REGULATION OR FEE OF THE MUNICIPAL
27 POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION IN EFFECT ON
28 DECEMBER 31, 1988, SHALL REMAIN IN EFFECT UNTIL REPEALED OR
29 AMENDED BY THE COMMISSION.

30 SECTION 11. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

1 (1) SECTION 6 (SECTION 9.2) SHALL TAKE EFFECT IN TWO
2 YEARS.

3 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
4 IMMEDIATELY.