

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1278 Session of
1997

INTRODUCED BY DENT, BEBKO-JONES, WALKO, WAUGH, READSHAW,
BELARDI, SAYLOR, GEIST, EACHUS, SHANER, HALUSKA, MELIO,
CASORIO, TRELLO, ROSS, BROWNE, SEMMEL, RAMOS AND YOUNGBLOOD,
APRIL 10, 1997

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 10, 1997

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for municipal police
3 education and training definitions, training and penalties,
4 certification and reimbursement.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The definitions of "police department" and
8 "police officer" in section 2162 of Title 53 of the Pennsylvania
9 Consolidated Statutes, added December 19, 1996 (P.L.1158,
10 No.177), are amended to read:

11 § 2162. Definitions.

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

15 * * *

16 "Police department." Any of the following:

17 (1) A public agency of a political subdivision having
18 general police powers and charged with making arrests in

1 connection with the enforcement of the criminal or traffic
2 laws. This paragraph includes the sheriff's office in a
3 county of the second class.

4 (2) A campus police or university police department, as
5 used in section 2416 of the act of April 9, 1929 (P.L.177,
6 No.175), known as The Administrative Code of 1929, certified
7 by the Office of Attorney General as a criminal justice
8 agency under the definition of "criminal justice agency" in
9 18 Pa.C.S. § 9102 (relating to definitions). This paragraph
10 does not include a campus police or university police
11 department of the State System of Higher Education and its
12 member institutions.

13 (3) The Capitol Police.

14 (4) The Harrisburg International Airport Police.

15 (5) An airport authority police department.

16 "Police officer." Any of the following:

17 (1) A full-time or part-time employee [of a], assigned
18 to criminal or traffic law enforcement duties, of any of the
19 following:

20 (i) A police department of a county, city, borough,
21 town[,] or township[,].

22 (ii) Any campus [police] or university police [or
23 county police] department [assigned to criminal or
24 traffic law enforcement duties; any].

25 (iii) The Capitol Police.

26 (iv) The Harrisburg International Airport Police.

27 (v) An airport authority police department.

28 (2) A deputy sheriff of a county of the second class[;
29 and, for].

30 (3) For the purpose of training only, a security

1 [officers] officer of a first class city housing authority.

2 The term excludes persons employed to check parking meters or to
3 perform only administrative duties and auxiliary and fire
4 police.

5 * * *

6 Section 2. Sections 2167(b) and (c), 2168(b) and 2170(e) of
7 Title 53, added December 19, 1996 (P.L.1158, No.177), are
8 amended to read:

9 § 2167. Police training.

10 * * *

11 (b) Ineligibility for compensation.--Any person hired as a
12 police officer [by any municipality or group of municipalities
13 acting in concert or by any college or university] shall be
14 ineligible to receive any salary, compensation or other
15 consideration for the performance of duties as a police officer
16 unless the person has met all of the requirements as established
17 by the commission and has been duly certified as having met
18 those requirements by the commission.

19 (c) Penalty.--Any [official of any municipality or of any
20 college or university] person who orders, authorizes or pays as
21 salary to a person in violation of the provisions of this
22 subchapter commits a summary offense and shall, upon conviction,
23 be sentenced to pay a fine of \$100 or be imprisoned for a term
24 not to exceed a period of 30 days. The commission may stop
25 payment of all funds paid or payable to municipalities under
26 this subchapter for any violation of this subchapter. It shall
27 notify the State Treasurer to discontinue disbursement of any
28 State funds until a municipality is in compliance with this
29 subchapter.

30 § 2168. Automatic certification.

1 * * *

2 (b) Campus or university police.--Any [campus or university]
3 police officer who, as of [the effective date of this
4 subsection] August 27, 1993, has successfully completed a basic
5 training course similar to that required under this subchapter
6 shall, after review by the commission, be certified as having
7 met the basic training requirements of this subchapter. Any
8 [campus or university] police officer who, as of [the effective
9 date of this subsection] August 27, 1993, has not successfully
10 completed a basic training course similar to that required under
11 this subchapter which qualifies the police officer for
12 certification under this subsection shall be able to perform the
13 duties of a campus or university police officer until certified
14 by the commission, but no longer than one year from [the
15 effective date of this subsection] August 27, 1993.

16 * * *

17 § 2170. Reimbursement of expenses.

18 * * *

19 (e) Payment of mandatory in-service training.--[The]

20 (1) Except as set forth in paragraph (2), the commission
21 may pay for the cost of mandatory in-service training for all
22 police officers to the extent determined by the commission.

23 [However, a]

24 (2) All of the following shall be ineligible for
25 reimbursement of any expense under this section incurred
26 during their police officer training:

27 (i) A college or university [shall not be eligible
28 for reimbursement of any expense under this section
29 incurred during campus or university police officer
30 training].

- 1 (ii) The Capitol Police.
- 2 (iii) The Harrisburg International Airport Police.
- 3 (iv) An airport authority police department.
- 4 Section 3. This act shall take effect in 60 days.