

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1044

 Session of 2007

INTRODUCED BY COHEN, PETRONE, DALEY, FREEMAN, CALTAGIRONE, CASORIO, CLYMER, CURRY, DePASQUALE, FABRIZIO, FRANKEL, GEORGE, GIBBONS, GOODMAN, GRUCELA, HERSHEY, HORNAMAN, JAMES, KORTZ, KULA, MAHONEY, MANN, MARKOSEK, McGEEHAN, McILHATTAN, M. O'BRIEN, PALLONE, PARKER, PETRARCA, READSHAW, SABATINA, SCAVELLO, SIPTROTH, SOLOBAY, STABACK, YOUNGBLOOD and LENTZ, APRIL 10, 2007

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 22, 2007

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for powers and
3 duties of the Municipal Police Officers' Education and
4 Training Commission AND FOR POLICE TRAINING. <—

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

7 ~~Section 1. Section 2164 of Title 53 of the Pennsylvania~~ <—
8 ~~Consolidated Statutes is amended by adding a paragraph to read:~~

9 SECTION 1. SECTION 2164(1) OF TITLE 53 OF THE PENNSYLVANIA <—
10 CONSOLIDATED STATUTES IS AMENDED TO READ:

11 § 2164. Powers and duties of commission.

12 The powers and duties of the commission shall be as follows:

13 (1) TO ESTABLISH AND ADMINISTER THE MINIMUM COURSES OF <—
14 STUDY FOR BASIC AND IN-SERVICE TRAINING FOR POLICE OFFICERS
15 AND TO REVOKE AN OFFICER'S CERTIFICATION WHEN AN OFFICER
16 FAILS TO COMPLY WITH THE BASIC AND IN-SERVICE TRAINING

1 REQUIREMENTS OR IS CONVICTED OF A CRIMINAL OFFENSE OR THE
2 COMMISSION DETERMINES THAT THE OFFICER IS PHYSICALLY OR
3 MENTALLY UNFIT TO PERFORM THE DUTIES OF HIS OFFICE. [OR
4 DETERMINES THAT A POLICE OFFICER SUBJECT TO SECTION 2166.1
5 (RELATING TO PROHIBITION ON POLITICAL ACTIVITY) HAS ENGAGED
6 OR PARTICIPATED IN THE CONDUCTING OF POLITICAL OR ELECTION
7 CAMPAIGN ACTIVITY IN VIOLATION OF THAT SECTION.]

8 * * *

9 ~~(16) To grant waivers of in service training required~~ <—
10 ~~under paragraph (6) to police officers who are unable to~~
11 ~~attend in service training due to service in the military or~~
12 ~~National Guard or as a result of injury sustained in service~~
13 ~~as a police officer.~~

14 SECTION 2. SECTION 2167 OF TITLE 53 IS AMENDED BY ADDING A <—
15 SUBSECTION TO READ:

16 § 2167. POLICE TRAINING.

17 * * *

18 (D) MANDATORY WAIVER REQUEST.--IF A POLICE OFFICER IS UNABLE
19 TO ATTEND IN-SERVICE TRAINING DUE TO SERVICE IN THE MILITARY OR
20 NATIONAL GUARD OR AS A RESULT OF INJURY SUSTAINED IN SERVICE AS
21 A POLICE OFFICER, THE OFFICER'S EMPLOYER SHALL REQUEST A WAIVER
22 UNDER SECTION 2164(6) (RELATING TO POWERS AND DUTIES OF
23 COMMISSION). UPON RETURN TO SERVICE, THE COMMISSION MAY REQUIRE
24 A POLICE OFFICER WHO HAS BEEN GRANTED A WAIVER OF IN-SERVICE
25 TRAINING TO PARTICIPATE IN SUCH IN-SERVICE TRAINING AS THE
26 COMMISSION DEEMS APPROPRIATE. A POLICE OFFICER WHOSE EMPLOYER
27 FAILS TO REQUEST A WAIVER AS REQUIRED UNDER THIS SUBSECTION
28 SHALL NOT BE DECERTIFIED UNLESS, UPON RETURN TO SERVICE, THE
29 OFFICER FAILS TO PARTICIPATE IN SUCH IN-SERVICE TRAINING AS THE
30 COMMISSION DEEMS APPROPRIATE.

1 Section ~~2~~ 3. This act shall take effect in 60 days.

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