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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1044

Session of  
2007

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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

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SENATOR RAFFERTY, LAW AND JUSTICE, IN SENATE, AS AMENDED,  
APRIL 1, 2008

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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, for police training and for powers of  
5 home rule charter counties.; ~~and making an inconsistent~~  
6 ~~repeal of the Sheriff Fee Act.~~ <—

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

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

requirements or 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. [or determines that a police officer subject to section 2166.1 (relating to prohibition on political activity) has engaged or participated in the conducting of political or election campaign activity in violation of that section.]

\* \* \*

~~Section 2. Sections 2167 and 2962 of Title 53 are amended by adding subsections to read:~~ <—

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

§ 2167. Police training.

\* \* \*

(d) Mandatory waiver request.--If a police officer is unable to attend in-service training due to service in the military or National Guard or as a result of injury sustained in service as a police officer, the officer's employer shall request a waiver under section 2164(6) (relating to powers and duties of commission). A police officer whose employer fails to request a waiver as required under this subsection shall not be decertified unless, upon return to service, the officer fails to participate in such in-service training as the commission deems appropriate in accordance with this chapter and 51 Pa.C.S. Ch. 75 (relating to professional and occupational licenses).

~~§ 2962. Limitation on municipal powers.~~ <—

~~\* \* \*~~

~~(k) Sheriff fees. A county which adopts a home rule charter may establish by ordinance the fees, including commissions and mileage, to be received by the sheriff of the county from a~~

1 ~~person or the county requiring services of the sheriff.~~

2     ~~Section 3. Section 2 of the act of July 6, 1984 (P.L.614,~~  
3 ~~No.127), known as the Sheriff Fee Act, is repealed insofar as it~~  
4 ~~is inconsistent with the addition of 53 Pa.C.S. § 2962(k).~~

5     Section 4 3. This act shall take effect in 60 days.

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