

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1244 Session of 2009

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INTRODUCED BY BELFANTI, VULAKOVICH, CALTAGIRONE, GOODMAN,  
BRENNAN, CARROLL, MURT, DONATUCCI, FRANKEL, GIBBONS,  
HORNAMAN, KOTIK, MAHONEY, MCGEEHAN, CASORIO, M. O'BRIEN,  
PALLONE AND SIPTROTH, APRIL 8, 2009

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AS REPORTED FROM COMMITTEE ON LABOR RELATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, MARCH 9, 2010

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## AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for law  
3 enforcement officers of limited jurisdiction.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 50

9 LAW ENFORCEMENT OFFICERS OF LIMITED JURISDICTION

10 Sec.

11 5001. Scope of chapter.

12 5002. Definitions.

13 5003. Rights.

14 § 5001. Scope of chapter.

15 This chapter shall apply to law enforcement officers of  
16 limited jurisdiction in this Commonwealth.

17 § 5002. Definitions.

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

"Law enforcement officer of limited jurisdiction." Any of the following:

(1) A public employee who has the power and duty to arrest under:

(i) section 27 of the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law; or

(ii) section 211 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

(2) A public employee:

(i) whose principal duty is to enforce the drug laws of this Commonwealth; and

(ii) whose power and duty to arrest is authorized by the Attorney General under section 201(c) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(3) A PUBLIC EMPLOYEE WHOSE PRINCIPAL DUTIES AND POWERS TO ARREST ARE AUTHORIZED UNDER 22 PA.C.S. CH. 33 (RELATING TO RAILROAD AND STREET RAILWAY POLICE).

(4) A PUBLIC EMPLOYEE WHO IS CONSIDERED A CAMPUS POLICE OFFICER EMPLOYED BY A STATE-OWNED UNIVERSITY, COMMUNITY COLLEGE OR STATE-RELATED OR STATE-AIDED COLLEGE OR UNIVERSITY WHO EXERCISES POWERS UNDER SECTIONS 2416 AND 2416.1 OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

"Public employee." Any individual employed by a public employer. The term does not include elected officials,



appointees of the Governor with the advice and consent of the  
Senate as required by law, management level employees,  
confidential employees, clergymen or other persons in a  
religious profession, employees or personnel at church offices  
or facilities when utilized primarily for religious purposes and  
those employees covered under the act of June 24, 1968 (P.L.237,  
No.111), referred to as the Policemen and Firemen Collective  
Bargaining Act.

"Public employer." The Commonwealth of Pennsylvania, its  
political subdivisions ~~including school districts~~ and any  
officer, board, commission, agency, authority or other  
instrumentality thereof and any nonprofit organization or  
institution and any charitable, religious, scientific, literary,  
recreational, health, educational or welfare institution  
receiving grants or appropriations from Federal, State or local  
governments. The term does not include employers covered or  
presently subject to coverage under the act of June 1, 1937  
(P.L.1168, No.294), known as the Pennsylvania Labor Relations  
Act, or the National Labor Relations Act (49 Stat. 449, 29  
U.S.C. § 151 et seq.).  
§ 5003. Rights.

Notwithstanding any other provision of law, a law enforcement  
officer of limited jurisdiction shall be subject to the act of  
July 23, 1970 (P.L.563, No.195), known as the Public Employe  
Relations Act, in the same manner and receive the same rights as  
units of guards at prisons or mental hospitals or units of  
employees directly involved with and necessary to the  
functioning of the courts of this Commonwealth.

Section 2. This act shall take effect July 1, 2009 2010, or  
immediately, whichever is later.