

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1534 Session of
2009

INTRODUCED BY PERZEL, BEYER, BOBACK, BOYD, DALEY, DeLUCA,
DENLINGER, DePASQUALE, J. EVANS, EVERETT, FLECK, FREEMAN,
GEIST, GIBBONS, GILLESPIE, GODSHALL, GRELL, HARKINS, HELM,
HESS, W. KELLER, KILLION, MAJOR, MELIO, MILNE, MURT, MUSTIO,
O'NEILL, PETRI, PICKETT, QUIGLEY, QUINN, READSHAW, REICHLEY,
SCAVELLO, SIPTROTH, SONNEY, SWANGER, J. TAYLOR, VULAKOVICH,
WATSON AND YOUNGBLOOD, MAY 26, 2009

REFERRED TO COMMITTEE ON JUDICIARY, MAY 26, 2009

AN ACT

1 Establishing and providing for the administration of the
2 Commonwealth Officer Program and the Commonwealth Officer
3 Fund; providing for duties of the Office of Attorney General;
4 transferring certain funds; and making an appropriation.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Commonwealth
9 Officer Act.

10 Section 2. Definitions.

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

14 "Advisory committee." A committee formed to assist the
15 Attorney General in reviewing and approving grants under the
16 program and consisting of the district attorney and president

1 judge of the county wherein the municipality applying to the
2 program lies, a representative of the Pennsylvania State Police
3 and a local law enforcement representative from a county chiefs
4 of police organization or a county fraternal order of police
5 lodge in the county wherein the municipality applying to the
6 program lies.

7 "Commission." The Pennsylvania Commission on Crime and
8 Delinquency.

9 "Fund." The Commonwealth Officer Fund established under
10 section 4.

11 "Municipality." A county of the first class, county of the
12 second class, city, borough, town or township.

13 "Police department." A public agency of a municipality
14 having general police powers and charged with making arrests in
15 connection with the enforcement of criminal or traffic laws. The
16 term includes a regional police department organized under 53
17 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental
18 cooperation).

19 "Police officer." A full-time active sworn officer employed
20 by a municipality and assigned to criminal law enforcement or
21 traffic duties in a specific uniformed police district within a
22 municipality. The term does not include:

23 (1) Auxiliary and fire police.

24 (2) Persons assigned to transportation centers.

25 (3) Persons employed to check parking meters or to
26 perform only administrative duties.

27 (4) Persons on special detail or on restricted or
28 limited duty.

29 "Program." The Commonwealth Officer Program established
30 under section 3.

1 "Salary." Includes base pay and health benefits. The term
2 does not include overtime, longevity or pension compensation.

3 Section 3. Program.

4 The Commonwealth Officer Program is hereby established in the
5 Office of Attorney General. The goal of the program is to
6 provide State support to communities throughout this
7 Commonwealth to hire 10,000 new police officers by the year
8 2013. The Office of Attorney General shall do the following:

9 (1) Administer the program.

10 (2) Review and approve grant applications with the
11 assistance of the advisory committee.

12 (3) Award grants to applicants under the program.

13 Section 4. Fund.

14 There is hereby established in the State Treasury a special
15 fund to be known as the Commonwealth Officer Fund. Deposits in
16 the fund shall include money appropriated under section 9 and
17 other money appropriated to the fund. All money deposited in the
18 fund and interest which accrues from those funds are
19 appropriated on a continuing basis for the purposes of this act.

20 Section 5. Dedication of funding.

21 (a) Priority.--The Office of Attorney General shall allocate
22 the money available in the fund in the following order of
23 priority:

24 (1) Municipalities employing fewer than 20 police
25 officers.

26 (2) Municipalities employing more than 20 but fewer than
27 100 police officers.

28 (3) Municipalities with the highest per capita rate of
29 total crimes reported Statewide as recorded in the
30 Pennsylvania Uniform Crime Reporting System.

1 (4) Municipalities with the highest percentage of total
2 crimes reported Statewide as recorded in the Pennsylvania
3 Uniform Crime Reporting System.

4 (5) Municipalities with the largest population.

5 (b) Formula.--The Office of Attorney General shall develop a
6 formula for award of program grants which uses a municipality's
7 existing number of police officers, per capita crime rate, total
8 crime rate and population to achieve the funding priority under
9 subsection (a).

10 Section 6. Applications.

11 (a) Submission.--A municipality may submit an application to
12 the Office of Attorney General for a program grant. An
13 application shall:

14 (1) Include a commitment from the municipality to invest
15 matching funds in the program.

16 (2) Include a commitment from the municipality to apply
17 to the commission for funding of police officers in order to
18 reduce the amount of the municipality's matching funds
19 requirement for the program.

20 (b) Minimum matching funds required.--

21 (1) A municipality receiving a program grant shall
22 commit matching funds in an amount equivalent to no less than
23 50% of the total grant to the municipality from the program.

24 (2) A municipality which receives funding from the
25 commission shall commit matching funds in an amount
26 equivalent to no less than one-half of the commission's
27 grant.

28 (3) A municipality may solicit any amount of funding
29 from businesses or other community organizations to satisfy
30 the matching funds requirement.

1 Section 7. Use of funds.

2 (a) Staff.--The Attorney General may use funds as necessary
3 to hire staff and acquire office equipment and supplies to carry
4 out the administrative duties of the program.

5 (b) Use of funds.--A municipality which receives grant funds
6 shall use the funds to do any of the following:

7 (1) Hire new police officers. Any new position
8 established must be funded for a minimum of ten years. During
9 the first four years following implementation of the program,
10 funds must be used to hire new police officers. Following the
11 fourth year of implementation, funds shall be used to pay
12 officers' salaries at the minimum rate of \$25,000 per year
13 per officer.

14 (2) Use up to 50% of the State funds received for
15 recruiting, training, equipment or other costs associated
16 with maintaining a full-time complement of police officers.

17 Section 8. Transfer of funds.

18 Funds from the following appropriations shall be transferred
19 to the General Fund:

20 (1) \$10,000,000 from the appropriation for the
21 Commonwealth Technology Services under the act of
22 (P.L. , No.), known as the General
23 Appropriation Act of 2009.

24 (2) \$11,500,000 from the appropriation for the Senate
25 Caucus Operations Account (R) under the General Appropriation
26 Act of 2009.

27 (3) \$11,500,000 from the appropriation for the Senate
28 Caucus Operations Account (D) under the General Appropriation
29 Act of 2009.

30 (4) \$11,500,000 from the appropriation for the House of

Representatives Legislative Management Account (R) under the
General Appropriation Act of 2009.

(5) \$11,500,000 from the House of Representatives
Legislative Management Account (D) under the General
Appropriation Act of 2009.

Section 9. Appropriation.

The sum of \$56,000,000, or as much thereof as may be
necessary, is hereby appropriated to the Commonwealth Officer
Fund for the fiscal year July 1, 2009, to June 30, 2010, to
carry out the provisions of this act.

Section 20. Effective date.

This act shall take effect immediately.