

AMENDMENTS TO HOUSE BILL NO. 49

Sponsor: SENATOR LANGERHOLC

Printer's No. 1972

1 Amend Bill, page 1, lines 5 and 6, by striking out "in high
2 schools, further providing" in line 5 and all of line 6 and
3 inserting

4 in school security, further providing for definitions, for
5 school police officers, for training, for powers and duties,
6 for school resource officers and for school security guards;
7 in high schools, further providing for courses of study; in
8 miscellaneous provisions relating to institutions of higher
9 education, further providing for Public Higher Education
10 Funding Commission; and, in fostering independence through
11 education, further providing for fostering independence
12 waiver program.

13 Amend Bill, page 1, lines 9 through 11, by striking out all
14 of said lines and inserting

15 Section 1. The definition of "school security guard" in
16 section 1301-C of the act of March 10, 1949 (P.L.30, No.14),
17 known as the Public School Code of 1949, amended July 2, 2019
18 (P.L.406, No.67), is amended to read:
19 Section 1301-C. Definitions.

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

23 * * *

24 "School security guard." An individual employed by a school
25 entity, nonpublic school or a third-party vendor or an
26 independent contractor who is assigned to a school for routine
27 safety and security duties and has not been granted powers under
28 section [1306-C(3)] 1306-C(a)(3) or (b).

29 * * *

30 Section 2. Sections 1302-C(b)(2), 1305-C(a), 1306-C, 1313-
31 C(a.1)(2) and 1314-C(b) of the act, amended July 2, 2019
32 (P.L.406, No.67), are amended to read:

33 Section 1302-C. School police officers.

34 * * *

35 (b) Appointment.--

1 * * *

2 (2) The judge may, at the request of the school entity
3 or nonpublic school, grant the school police officer the
4 powers as provided under section 1306-C(b), the authority to
5 issue citations for summary offenses as provided in section
6 [1306-C(3)] 1306-C(a)(3) or the authority to detain students
7 until the arrival of local law enforcement or any combination
8 thereof.

9 * * *

10 Section 1305-C. Training.

11 (a) General rule.--A school police officer who has been
12 granted powers under section [1306-C(3)] 1306-C(a)(3) or (b) or
13 has been authorized to carry a firearm must, before entering
14 upon the duties of the office, satisfy the following:

15 (1) Successfully complete basic training as required by
16 the Municipal Police Officers' Education and Training
17 Commission under 53 Pa.C.S. Ch. 21 Subch. D (relating to
18 municipal police education and training) or has graduated
19 from the Pennsylvania State Police Academy, has been employed
20 as a State trooper with the Pennsylvania State Police and has
21 separated from that service in good standing.

22 (2) (i) Successfully complete the Basic School Resource
23 Officer Course offered by the National Association of
24 School Resource Officers or an equivalent course of
25 instruction approved by the commission.

26 (ii) A school police officer who is [currently]
27 employed or contracted by a school entity or nonpublic
28 school before September 2, 2019, shall have [six months
29 from the effective date of this paragraph] until the
30 beginning of the 2020-2021 school year to complete the
31 instruction.

32 * * *

33 Section 1306-C. Powers and duties.

34 (a) General rule.--A school police officer appointed under
35 section 1302-C(b) shall possess and exercise all the following
36 powers and duties:

37 (1) To enforce good order in school buildings, on school
38 buses and on school grounds in the respective school entities
39 or nonpublic schools. For purposes of this paragraph, the
40 term "school bus" shall include a vehicle leased by the
41 school entity or nonpublic school to transport students and a
42 vehicle of mass transit used by students to go to and from
43 school and school activities when the school police officer
44 responds to a report of an incident involving a breach of
45 good order or violation of law.

46 (3) If authorized by the court, to issue summary
47 citations or to detain individuals in school buildings, on
48 school buses and on school grounds in the respective school
49 entities or nonpublic schools until local law enforcement is
50 notified.

51 **(b) Specific powers.--If authorized by the court, a school**

1 police officer who is a law enforcement officer employed by a
2 school entity or nonpublic school whose responsibilities,
3 including work hours, are established by the school entity or
4 nonpublic school, may exercise the same powers as exercised
5 under authority of law or ordinance by the police of the
6 municipality in which the school property is located.

7 Section 1313-C. School resource officers.

8 * * *

9 (a.1) Training.--

10 * * *

11 (2) A school resource officer who is [currently]
12 stationed in a school entity or nonpublic school before
13 September 2, 2019, shall have [six months from the effective
14 date of this subsection] until the beginning of the 2020-2021
15 school year to complete the instruction.

16 * * *

17 Section 1314-C. School security guards.

18 * * *

19 (b) Training.--The following shall apply:

20 (1) [A] Prior to entering upon the duties of the office,
21 a school security guard shall successfully complete the Basic
22 School Resource Officer Course offered by the National
23 Association of School Resource Officers or an equivalent
24 course of instruction approved by the commission.

25 (2) A school security guard who is [currently] employed
26 or contracted by a school entity or nonpublic school before
27 September 2, 2019, shall have [six months from the effective
28 date of this subsection] until the beginning of the 2020-2021
29 school year to complete the instruction.

30 * * *

31 Section 3. Section 1605 of the act is amended by adding a
32 subsection to read:

33 Amend Bill, page 2, by inserting between lines 22 and 23

34 Section 4. Section 2001-I(i)(13) of the act, added July 2,
35 2019 (P.L.417, No.70), is amended to read:

36 Section 2001-I. Public Higher Education Funding Commission.

37 * * *

38 (i) Additional powers and duties.--The commission shall have
39 all of the following powers and duties:

40 * * *

41 (13) Issue a report of the commission's findings and
42 recommendations to the Governor, the President pro tempore of
43 the Senate, the Speaker of the House of Representatives, the
44 Majority Leader and Minority Leader of the Senate, the
45 Majority Leader and Minority Leader of the House of
46 Representatives, the Secretary of Education, the State Board
47 of Education, the Appropriations Committee of the Senate, the
48 Appropriations Committee of the House of Representatives, the
49 Education Committee of the Senate and the Education Committee

of the House of Representatives not later than [one year
after the effective date of this section] November 30, 2020.

* * *

Section 5. Section 2602-K(c) of the act, added June 28, 2019
(P.L.117, No.16), is amended to read:
Section 2602-K. Fostering independence waiver program.

* * *

(c) Eligibility.--In order to receive a fostering
independence waiver under this section, an individual must be a
current resident of this Commonwealth and eligible for the
Pennsylvania Chafee Education and Training Grant Program under
the Foster Care Independence Act of 1999 (Public Law 106-169,
113 Stat. 1822) as administered by the Department of Human
Services and must have applied for all available Federal and
State grants.

* * *

Amend Bill, page 2, line 23, by striking out "2" and
inserting

6

Amend Bill, page 2, line 23, by striking out "in 60 days."
and inserting

as follows:

(1) The following provisions shall take effect
immediately:

(i) The amendment of the definition of "school
security guard" in section 1301-C and sections 1302-C(b)
(2), 1305-C(a), 1306-C, 1313-C(a.1) (2) and 1314-C(b) of
the act.

(ii) This section.

(2) The remainder of this act shall take effect in 60
days.