

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 6

Session of  
1993

INTRODUCED BY CORRIGAN, TRELLO, MAYERNIK, JAROLIN, CESSAR,  
PESCI, STABACK AND MELIO, JANUARY 27, 1993

REFERRED TO COMMITTEE ON RULES, JANUARY 27, 1993

AN ACT

1 Amending the act of June 18, 1974 (P.L.359, No.120), entitled  
2 "An act creating the Municipal Police Officers' Education and  
3 Training Commission; providing for the commission's  
4 membership, selection, compensation, and removal; providing  
5 for the powers and duties of the commission; providing for  
6 the appointment and duties of the chairman; providing for the  
7 act's applicability to the civil service laws; requiring  
8 training by certain political subdivisions and police  
9 departments; providing penalties for violation thereof; and  
10 making an appropriation," further defining "police officer"  
11 and "police department"; adding a definition; and further  
12 providing for powers and duties of the commission, for police  
13 training, for penalties and for reimbursement of training  
14 expenses.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Section 2 of the act of June 18, 1974 (P.L.359,  
18 No.120), referred to as the Municipal Police Education and  
19 Training Law, amended December 20, 1984 (P.L.1197, No.227) and  
20 December 21, 1988 (P.L.1865, No.180), is amended to read:

21 Section 2. Definitions.--As used in this act:

22 (1) "Commission" means the Municipal Police Officers'  
23 Education and Training Commission.

1     (2) "College" or "university" means any college or  
2     university which has a campus police department as used in  
3     section 2416 of the act of April 9, 1929 (P.L.177, No.175),  
4     known as "The Administrative Code of 1929," which has been  
5     certified by the Office of Attorney General as a criminal  
6     justice agency within the meaning of the Criminal History Record  
7     Information Act, 18 Pa.C.S. Ch. 91 (relating to criminal history  
8     record information) but shall not include the State System of  
9     Higher Education and its member institutions.

10     ~~[(2)]~~ (3) "School" means a training school or academy which  
11 provides a basic police training course within the functional  
12 organization of a police department or departments or any  
13 educational facility within the Commonwealth of Pennsylvania.

14     ~~[(3)]~~ (4) "Police officer" means any full-time or part-time  
15 employe, of a city, borough, town, township, campus police or  
16 university police, or county police department assigned to  
17 criminal and/or traffic law enforcement duties, and for the  
18 purpose of training only, security officers of first class city  
19 housing authority, but shall exclude persons employed to check  
20 parking meters and/or to perform only administrative duties,  
21 auxiliary and fire police.

22     ~~[(4)]~~ (5) "Police department" means:

23     (i) any public agency of a political subdivision having  
24 general police powers and charged with making arrests in  
25 connection with the enforcement of the criminal and/or traffic  
26 laws[.]; or

27     (ii) any campus police or university police department as  
28 used in section 2416 of the act of April 9, 1929 (P.L.177,  
29 No.175), known as "The Administrative Code of 1929," which has  
30 been certified by the Office of Attorney General as a criminal

1 justice agency within the meaning of the Criminal History Record  
2 Information Act, 18 Pa.C.S. Ch. 91 (relating to criminal history  
3 record information) but shall not include any campus police or  
4 university police department of the State System of Higher  
5 Education and its member institutions.

6 [(5)] (6) "Commissioner" means the Commissioner of the  
7 Pennsylvania State Police.

8 [(6)] (7) "Political subdivision" means any county, city,  
9 borough, incorporated town or township.

10 [(7)] (8) "Certification" means the assignment of a  
11 certification number to a police officer after successful  
12 completion of a mandatory basic training course or receipt of a  
13 waiver of basic training from the commission and successful  
14 completion of mandatory in-service training. Certification is  
15 for a period of two years.

16 Section 2. Sections 5(1) and (11), 9, 9.1, 9.2 and 10(e) of  
17 the act, amended or added December 21, 1988 (P.L.1865, No.180),  
18 are amended to read:

19 Section 5. Powers and Duties of the Commission.--The powers  
20 and duties of the commission shall be as follows:

21 (1) To establish and administer the minimum courses of study  
22 for basic and in-service training for [municipal] police  
23 officers and to revoke an officer's certification for failure to  
24 comply with the basic and in-service training requirements or in  
25 cases where an officer is convicted of a criminal offense or the  
26 commission determines that the officer is physically or mentally  
27 unfit to perform the duties of his office.

28 \* \* \*

29 (11) To consult, and cooperate with, universities, colleges,  
30 community colleges and institutes for the development of

1 specialized courses for [municipal] police officers.

2 \* \* \*

3 Section 9. Police Training Mandatory; Penalties.--(a) All  
4 political subdivisions of the Commonwealth or groups of  
5 political subdivisions acting in concert and all colleges and  
6 universities shall be required to train all members of their  
7 police departments prior to actually enforcing criminal laws,  
8 enforcing moving traffic violations under 75 Pa.C.S. (relating  
9 to vehicles) or being authorized to carry a firearm after the  
10 effective date of this act, pursuant to the provisions of this  
11 act.

12 (b) Those [municipal] police officers employed on the  
13 effective date of this subsection shall be able to perform  
14 criminal or traffic duties and be authorized to carry a firearm  
15 until certified by the commission, but no longer than one year  
16 from their date of employment.

17 (c) Any person hired as a [municipal] police officer by any  
18 political subdivision or group thereof acting in concert or any  
19 college or university shall be ineligible to receive any salary,  
20 compensation or other consideration or thing of value for the  
21 performance of his duties as a police officer unless he has met  
22 all of the requirements as established by the commission and has  
23 been duly certified as having met those requirements by the  
24 commission.

25 (d) Any official of any political subdivision or college or  
26 university who orders, authorizes or pays as salary to a person  
27 in violation of the provisions of this act shall on summary  
28 conviction thereof be sentenced to pay a fine of one hundred  
29 dollars (\$100) or be imprisoned for a term not to exceed a  
30 period of thirty days. The commission may stop payment of all

1 funds which pass to municipalities by this act for any violation  
2 of this act. It shall notify the State Treasurer to discontinue  
3 disbursement of any State funds until a municipality is in  
4 compliance with this act.

5 Section 9.1. Automatic Certification.--(a) All [municipal]  
6 police officers hired prior to June 18, 1974, shall be  
7 automatically certified for basic training but shall be required  
8 to complete the in-service training as set forth in section  
9 5(7).

10 (b) Any campus or university police officer who, as of the  
11 effective date of this subsection, has successfully completed a  
12 basic training course similar to that required under this act  
13 shall, after review by the commission, be certified as having  
14 met the basic training requirements of this act.

15 Section 9.2. In-Service Training by Existing Personnel.--The  
16 requirements of section 5(7) shall apply to every [municipal]  
17 police officer.

18 Section 10. Reimbursement of Expenses.--\* \* \*

19 (e) The commission shall have the authority to pay for the  
20 cost of mandatory in-service training for all police officers,  
21 to the extent determined by the commission. However, a college  
22 or university shall not be eligible for reimbursement of any  
23 expense under this section incurred during campus or university  
24 police officer training.

25 Section 3. This act shall take effect in 60 days.