

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 6

Session of
1993

INTRODUCED BY CORRIGAN, TRELLO, MAYERNIK, JAROLIN, CESSAR,
PESCI, STABACK, MELIO, DALEY, MICOZZIE, RAYMOND, BELFANTI,
VEON AND COY, JANUARY 27, 1993

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 21, 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'

1 Education and Training Commission.

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

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

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

23 ~~[(4)]~~ (5) "Police department" means:

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

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

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

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

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

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

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

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

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

29 * * *

30 (11) To consult, and cooperate with, universities, colleges,

1 community colleges and institutes for the development of
2 specialized courses for [municipal] police officers.

3 * * *

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

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

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

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

1 period of thirty days. The commission may stop payment of all
2 funds which pass to municipalities by this act for any violation
3 of this act. It shall notify the State Treasurer to discontinue
4 disbursement of any State funds until a municipality is in
5 compliance with this act.

6 Section 9.1. Automatic Certification.--(a) All [municipal]
7 police officers hired prior to June 18, 1974, shall be
8 automatically certified for basic training but shall be required
9 to complete the in-service training as set forth in section
10 5(7).

11 (b) Any campus or university police officer who, as of the
12 effective date of this subsection, has successfully completed a
13 basic training course similar to that required under this act
14 shall, after review by the commission, be certified as having
15 met the basic training requirements of this act. ANY CAMPUS OR <—
16 UNIVERSITY POLICE OFFICER, WHO AS OF THE EFFECTIVE DATE OF THIS
17 SUBSECTION HAS NOT SUCCESSFULLY COMPLETED A BASIC TRAINING
18 COURSE SIMILAR TO THAT REQUIRED UNDER THIS ACT WHICH QUALIFIES
19 THE POLICE OFFICER FOR CERTIFICATION UNDER THIS SUBSECTION SHALL
20 BE ABLE TO PERFORM THE DUTIES OF A CAMPUS OR UNIVERSITY POLICE
21 OFFICER UNTIL CERTIFIED BY THE COMMISSION, BUT NO LONGER THAN
22 ONE YEAR FROM THE EFFECTIVE DATE OF THIS SUBSECTION.

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

26 Section 10. Reimbursement of Expenses.--* * *

27 (e) The commission shall have the authority to pay for the
28 cost of mandatory in-service training for all police officers,
29 to the extent determined by the commission. However, a college
30 or university shall not be eligible for reimbursement of any

- 1 expense under this section incurred during campus or university
- 2 police officer training.
- 3 Section 3. This act shall take effect in 60 days.