

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2741 Session of
2022

INTRODUCED BY STRUZZI, SMITH, HENNESSEY, HAMM AND ROWE,
JULY 7, 2022

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JULY 7, 2022

AN ACT

1 Amending Title 8 (Boroughs and Incorporated Towns) of the
2 Pennsylvania Consolidated Statutes, in powers, duties and
3 rights of appointed officers and employees, further providing
4 for definitions and for appointments of police and fire
5 apparatus operators.

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

8 Section 1. Section 1170 of Title 8 of the Pennsylvania
9 Consolidated Statutes is amended by adding a definition to read:

10 § 1170. Definitions.

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

14 "Commission." A civil service commission established under
15 section 1172(a) (relating to civil service commission).

16 * * *

17 Section 2. Section 1171(a) of Title 8 is amended and the
18 section is amended by adding a subsection to read:

19 § 1171. Appointments of police and fire apparatus operators.

(a) Nonapplicability of subchapter.--~~[This]~~ Except as provided for under subsection (a.1), this subchapter shall not apply to:

(1) a borough that has a police force of less than ~~[three]~~ 10 members;

(2) a borough that has a police force of ~~[three]~~ 10 or more members if those members in excess of ~~[two]~~ nine are appointed on a temporary basis through a federally funded program;

(3) a volunteer fire department or company that employs its own operators; or

(4) a borough that has less than three salaried fire apparatus operators.

(a.1) Exception for police forces with fewer than 10 members.--If a borough's police force has fewer than 10 members after the effective date of this subsection:

(1) The borough may not use a civil service commission to hire a new member of the police force.

(2) The provisions of this subchapter shall apply to a member of the police force who was hired by a commission prior to the effective date of this subsection.

(3) The borough may discharge the commission under this subchapter when the borough's police force has no members hired by the commission unless sooner provided for in a collective bargaining agreement.

(4) The act of June 15, 1951 (P.L.586, No.144), entitled "An act regulating the suspension, removal, furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members, and in townships of the second class," shall apply

1 to a suspension, removal, furloughing or reinstatement of a
2 member of the police force not hired by a commission.

3 * * *

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