

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 3167 Session of
1994

INTRODUCED BY MAYERNIK, NOVEMBER 14, 1994

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 14, 1994

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for the
3 payment of costs incurred when assisting State law
4 enforcement officials.

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

7 Section 1. Section 8953(d) of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 8953. Statewide municipal police jurisdiction.

10 * * *

11 (d) Immunities and benefits preserved.--Any municipal police
12 officer who exercises any power or authority granted under this
13 section, and the employing municipality of the police officer,
14 shall have the same immunities from liability as would be
15 applicable if the actions were performed within the territorial
16 boundaries of the officer's primary jurisdiction and the police
17 officer shall be entitled to the same benefits of employment as
18 the officer would possess if acting solely within his primary

1 jurisdiction. However, when any municipal police officer,
2 sheriff, deputy sheriff or housing authority police officer is
3 responding to a request for aid or assistance from a State law
4 enforcement officer pursuant to subsection (a)(3) for purposes
5 of workers' compensation and allocation of liability for any
6 death, injury or damage he may cause in the performance of his
7 requested duties, he shall be considered to be an employee of
8 the Commonwealth. All costs incurred by any municipality,
9 sheriff's office or housing authority in the defense of lawsuits
10 arising from the performance of any requested duties shall be
11 borne by the Commonwealth. The Commonwealth shall provide
12 attorneys to defend any lawsuits arising under this section. For
13 purposes of compensation, pension or indemnity fund rights and
14 other rights and benefits to which he may be entitled, the
15 municipal officer shall be considered to be performing his
16 duties in his normal capacity as a municipal law enforcement
17 officer. Nothing in this section shall be construed to restrict
18 the authority of any municipality to limit the exercise of any
19 power or authority conferred on its police by this section.

20 * * *

21 Section 2. This act shall take effect immediately.