

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 352 Session of
1999

INTRODUCED BY MAITLAND, BUNT, CIVERA, COLAFELLA, FEESE,
GIGLIOTTI, HORSEY, LYNCH, MASLAND, S. MILLER, PESCI, PLATTS,
RUBLEY, SEYFERT, E. Z. TAYLOR, THOMAS AND YOUNGBLOOD,
FEBRUARY 8, 1999

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 8, 1999

AN ACT

1 Amending the act of February 9, 1984 (P.L.3, No.2), entitled "An
2 act providing for the education and training of deputy
3 sheriffs; creating the Deputy Sheriffs' Education and
4 Training Board under the Pennsylvania Commission on Crime and
5 Delinquency; providing for the powers and duties of the board
6 and the Attorney General; establishing the Deputy Sheriffs'
7 Education and Training Account; providing for a surcharge on
8 sheriffs' fees; and providing penalties," further providing
9 for continuing education and training.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 4 of the act of February 9, 1984 (P.L.3,
13 No.2), known as the Deputy Sheriffs' Education and Training Act,
14 is amended to read:

15 Section 4. Powers and duties of the board.

16 The board, with the review and approval of the commission,
17 shall:

18 (1) Establish, implement and administer the Deputy
19 Sheriffs' Education and Training Program according to the
20 minimum requirements set forth in this act.

1 (2) Establish, implement and administer requirements for
2 the minimum courses of study and training for deputy
3 sheriffs.

4 (2.1) Establish, implement and administer requirements
5 for the minimum courses of optional study and training under
6 section 7.1 for sheriffs and deputy sheriffs to enforce 75
7 Pa.C.S. (relating to vehicles).

8 (3) Establish, implement and administer requirements for
9 courses of study and in-service training for deputy sheriffs
10 appointed prior to the effective date of this act.

11 (4) Establish, implement and administer requirements for
12 a continuing education program for all deputy sheriffs
13 concerning subjects the board may deem necessary and
14 appropriate for the continued education and training of
15 deputy sheriffs.

16 (5) Approve or revoke the approval of any school which
17 may be utilized to comply with the educational and training
18 requirements of this act.

19 (6) Establish the minimum qualifications for instructors
20 and certify instructors.

21 (7) Consult and cooperate with universities, colleges,
22 law schools, community colleges and institutes for the
23 development of specialized courses for deputy sheriffs.

24 (8) Promote the most efficient and economical program
25 for deputy sheriff training by utilizing existing facilities,
26 programs and qualified State and local personnel.

27 (9) Certify deputy sheriffs who have satisfactorily
28 completed the basic education and training requirements of
29 this act and issue appropriate certificates to them.

30 (9.1) Certify sheriffs and deputy sheriffs who have

1 satisfactorily completed the optional education and training
2 requirements under section 7.1 and issue appropriate
3 certificates to them.

4 (10) Make rules and regulations and perform other duties
5 as may be reasonably necessary or appropriate to administer
6 the education and training program for deputy sheriffs.

7 (11) Make an annual report to the Governor and to the
8 General Assembly concerning:

9 (i) The administration of the Deputy Sheriffs'
10 Education and Training Program.

11 (ii) The activities of the board.

12 (iii) The costs of the program.

13 Section 2. Section 6 of the act, amended January 29, 1998
14 (P.L.38, No.10), is amended to read:

15 Section 6. Continuing education.

16 (a) Biannual program.--The board, with the review and
17 approval of the commission, shall establish a continuing
18 education program for all deputy sheriffs, which shall include
19 not less than 20 hours of continuing education every two years,
20 concerning subjects the board may deem necessary and appropriate
21 for the continued education and training of deputy sheriffs.

22 (b) Other program.--The board, with the review and approval
23 of the commission, shall establish a continuing education
24 program for all sheriffs and deputy sheriffs certified as having
25 completed the optional education and training requirements under
26 section 7.1, which shall include not less than ten hours of
27 continuing education every two years concerning enforcement of
28 75 Pa.C.S. (relating to vehicles).

29 Section 3. The act is amended by adding a section to read:
30 Section 7.1. Optional 75 Pa.C.S. enforcement training for

1 sheriffs and deputy sheriffs.

2 (a) Enforcement training.--The Deputy Sheriffs' Education
3 and Training Program shall include optional 75 Pa.C.S. (relating
4 to vehicles) enforcement training for the following:

5 (1) The sheriff of any county, other than a county of
6 the second class, who elects to participate in the training
7 established by this section.

8 (2) Any deputy sheriff of a county, other than a county
9 of the second class, ordered by the sheriff in that county to
10 participate in the training established by this section.

11 (b) Hours and training.--The board, with the review and
12 approval of the commission, shall establish the content and
13 hours of instruction to ensure that sheriffs and deputy sheriffs
14 receive training in 75 Pa.C.S. enforcement equivalent to the 75
15 Pa.C.S. enforcement training received by police officers under
16 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police
17 education and training).

18 (c) Prior requirement.--All sheriffs and deputy sheriffs who
19 have previously completed the training required of police
20 officers under 53 Pa.C.S. Ch. 21 Subch. D or the act of June 18,
21 1974 (P.L.359, No.120), known as the Municipal Police Education
22 and Training Law, shall be deemed to have satisfactorily
23 completed the optional 75 Pa.C.S. enforcement training
24 established by this section and shall only be required to meet
25 continuing education requirements established by the board under
26 section 6(b).

27 (d) Enforcement of 75 Pa.C.S.--Any sheriff or deputy sheriff
28 who satisfactorily completes the optional 75 Pa.C.S. enforcement
29 training established by this section is authorized to enforce 75
30 Pa.C.S., to the same extent and in the same manner as a police

1 officer certified under 53 Pa.C.S. Ch. 21 Subch. D.

2 (e) Continuing education.--Any sheriff or deputy sheriff who
3 fails to meet and fails to be certified as having met the
4 requirements for continuing education for optional 75 Pa.C.S.
5 enforcement training for sheriffs or deputy sheriffs established
6 by the board under section 6(b) shall be ineligible to enforce
7 75 Pa.C.S.

8 Section 4. Section 9 of the act is amended to read:

9 Section 9. Reimbursement to counties.

10 (1) The commission shall provide for reimbursement to
11 each county of 100% of the allowable tuition and the ordinary
12 and necessary living and travel expenses incurred by their
13 deputy sheriffs while attending certified deputy sheriffs'
14 basic training or continuing education schools if the county
15 adheres to the training standards set forth in this act and
16 established by the board with the review and approval of the
17 commission. The regular salary of deputy sheriffs while
18 attending approved schools shall be paid by the employing
19 county. Fifty percent of the regular salaries of deputy
20 sheriffs while attending approved schools shall be reimbursed
21 to the employing county.

22 (2) The commission shall provide for reimbursement to
23 each county of 100% of the allowable tuition and the ordinary
24 and necessary living and travel expenses incurred by their
25 sheriff or deputy sheriffs while attending optional 75
26 Pa.C.S. (relating to vehicles) enforcement training or
27 continuing education schools if the county adheres to the
28 training standards set forth in this act and established by
29 the board with the review and approval of the commission. The
30 regular salary of deputy sheriffs while attending approved

1 schools shall be paid by the employing county. Fifty percent
2 of the regular salaries of deputy sheriffs while attending
3 approved schools shall be reimbursed to the employing county.
4 Section 5. This act shall take effect in 60 days.