

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1665 Session of  
2005

INTRODUCED BY CASORIO, CALTAGIRONE, GERGELY, KOTIK, McILHATTAN,  
SHANER AND THOMAS, JUNE 7, 2005

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 7, 2005

AN ACT

1 Amending the act of August 10, 1951 (P.L.1189, No.265),  
2 entitled, as amended, "An act regulating the appointment,  
3 promotion, suspension, reduction, removal and reinstatement  
4 of employes (except superintendents, assistant  
5 superintendents, inspectors, chief clerks and school guards)  
6 in bureaus of police in cities of the second class; and  
7 defining the powers and duties of civil service commissions  
8 in such cities for such purposes," further providing for  
9 detectives.

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

12 Section 1. Section 6.1 of the act of August 10, 1951  
13 (P.L.1189, No. 265), entitled, as amended, "An act regulating  
14 the appointment, promotion, suspension, reduction, removal and  
15 reinstatement of employes (except superintendents, assistant  
16 superintendents, inspectors, chief clerks and school guards) in  
17 bureaus of police in cities of the second class; and defining  
18 the powers and duties of civil service commissions in such  
19 cities for such purposes," amended July 9, 1963 (P.L.217,  
20 No.124), is amended to read:

21 Section 6.1. [In addition to existing powers of promotion in

1 the bureau of police, cities of the second class are hereby  
2 authorized to create such additional classes of detectives as  
3 they shall determine to be designated as Detective Class I,  
4 Detective Class II and Detective Class III. Such classes of  
5 detectives shall carry salaries which shall not be less than the  
6 maximum of salaries of patrolmen and not greater than the  
7 minimum salaries of detectives presently existing in cities of  
8 the second class, and shall consist of members of the police  
9 bureau who have been assigned to such additional classes of  
10 detectives because of a particular aptitude for investigation,  
11 outstanding meritorious service, or unusual and exceptional  
12 bravery.

13       Assignments to the several additional classes of detectives  
14 shall be made in the following manner. Whenever a member of the  
15 police bureau is recommended by his superior officer for  
16 assignment to one of the additional classes of detectives  
17 authorized in this section a police merit board shall be  
18 convened.

19       The board shall be constituted in each instance in the same  
20 manner as police trial boards authorized by law. The police  
21 merit board shall hear such evidence as may be pertinent to the  
22 case and shall thereafter make its recommendation. Such  
23 recommendation shall then be forwarded to the superintendent of  
24 police who shall endorse thereon his approval or disapproval of  
25 the board's finding. Thereafter the said report with the  
26 endorsement of the superintendent of police shall be submitted  
27 to the director of the department of public safety who shall  
28 take such action thereon as in his discretion he deems proper.  
29 In case of such assignments to an additional detective  
30 classification the member of the bureau of police so assigned

1 shall retain his civil service status under the civil service  
2 laws then in effect. Whenever for any reason within the  
3 discretion of the director of the department of public safety it  
4 is deemed necessary or desirable to reassign any such member to  
5 his former position the said director of the department of  
6 public safety shall have the right to make such reassignment.  
7 Civil service commissions of cities of the second class may, in  
8 their discretion, make such rules and regulations for grades,  
9 merits, or credits, concerning the positions authorized by this  
10 section and relating to promotional examinations for such  
11 positions in the bureau of police as they may see fit. Rules and  
12 regulations relating to promotional examinations shall not  
13 require as a condition of taking any such examination that the  
14 applicant have any experience or service other than the  
15 completion of four years of service in the bureau of police.]

16 (a) Cities of the second class are hereby authorized to  
17 create the classification of detectives. Detectives shall be  
18 paid salaries which shall not be less than the maximum of  
19 salaries of patrol officers. Vacancies in detectives' positions  
20 shall be filled pursuant to the competitive testing requirements  
21 set forth in section 6 and the civil service rules and  
22 regulations governing promotion to positions of rank within the  
23 police bureau.

24 (b) In any case in which a city of the second class has  
25 prior to the effective date of this subsection assigned police  
26 officers to the classification of detective but not through the  
27 competitive testing requirements of this act, the assignment  
28 shall be deemed to have been a valid exercise of the legislative  
29 power of the city for all purposes the same as though an  
30 ordinance has been enacted, and all police officers appointed

1 under the legislative power shall occupy the same status and  
2 shall have the same rights and privileges as police officers  
3 appointed under authority of an ordinance.

4       Section 2. This act shall take effect immediately.