

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 3068 Session of
2006

INTRODUCED BY PERZEL, SCAVELLO, ADOLPH, ALLEN, BALDWIN, BEYER,
BLAUM, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CIVERA, COSTA,
DENLINGER, DeWEESE, DIGIROLAMO, DIVEN, FICHTER, GANNON,
GEIST, GILLESPIE, GOODMAN, HESS, JAMES, W. KELLER, KENNEY,
KILLION, MAJOR, MARSICO, McILHINNEY, S. MILLER, O'BRIEN,
O'NEILL, PICKETT, PISTELLA, PYLE, QUIGLEY, RAMALEY, RAYMOND,
READSHAW, REED, REICHLEY, SABATINA, SANTONI, SOLOBAY, SONNEY,
T. STEVENSON, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRUE, WALKO,
WATSON, ZUG AND PHILLIPS, OCTOBER 23, 2006

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 23, 2006

AN ACT

1 Establishing and providing for the administration of the
2 Commonwealth Officer Program and the Commonwealth Officer
3 Fund; providing for duties of the Office of Attorney General;
4 lapsing certain funds; and making an appropriation.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Commonwealth
9 Officer Act.

10 Section 2. Definitions.

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

14 "Fund." The Commonwealth Officer Fund established in section
15 4.

1 "Police department." A public agency of a municipality
2 having general police powers and charged with making arrests in
3 connection with the enforcement of criminal or traffic laws. The
4 term includes a regional police department organized under 53
5 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental
6 cooperation).

7 "Police officer." A full-time active sworn officer employed
8 by a municipality and assigned to criminal law enforcement or
9 traffic duties in a specific uniformed police district within a
10 municipality. The term does not include:

11 (1) Auxiliary and fire police.

12 (2) Persons assigned to transportation centers.

13 (3) Persons employed to check parking meters or to
14 perform only administrative duties.

15 (4) Persons on special detail or on restricted or
16 limited duty.

17 "Program." The Commonwealth Officer Program established
18 under section 3.

19 "Salary." Includes base pay and health benefits. The term
20 does not include overtime, longevity or pension compensation.

21 Section 3. Program.

22 The Commonwealth Officer Program is hereby established in the
23 Office of Attorney General. The goal of the program is to
24 provide State support to communities throughout this
25 Commonwealth to hire 10,000 new police officers by the year
26 2011. The Office of Attorney General shall do the following:

27 (1) Administer the program.

28 (2) Review, approve and award grants to applicants under
29 the program.

30 Section 4. Fund.

1 There is hereby established in the State Treasury a special
2 fund to be known as the Commonwealth Officer Fund. Deposits in
3 the fund shall include moneys appropriated pursuant to section 9
4 and other moneys appropriated to the fund. All moneys deposited
5 in the fund and interest which accrues from those funds are
6 appropriated on a continuing basis for the purposes of this act.
7 Section 5. Dedication of funding.

8 (a) Priority.--The Office of Attorney General shall allocate
9 the moneys available in the fund in the following order of
10 priority:

11 (1) Rural municipalities employing fewer than ten police
12 officers.

13 (2) Municipalities in counties with the highest
14 percentage of total crimes reported Statewide as recorded in
15 the Pennsylvania Uniform Crime Reporting System.

16 (3) Municipalities in counties having the largest
17 population.

18 (b) Formula.--The Office of Attorney General shall develop a
19 formula for award of program grants which uses a county's
20 existing number of police officers, crime rate and population to
21 achieve the funding priority under subsection (a).

22 Section 6. Applications.

23 (a) Submission.--A county may submit an application to the
24 Office of Attorney General for a program grant. An application
25 shall:

26 (1) Include a commitment from the county to invest
27 matching funds in the program.

28 (2) Include a commitment from a municipality selected by
29 the county to receive a program grant to invest matching
30 funds in the program.

(b) Minimum matching funds required.--A county receiving a program grant shall commit matching funds in an amount equivalent to no less than 30% of the total grant to the county. A municipality selected by the county to receive grant funds shall commit matching funds in an amount equivalent to no less than 20% of the municipality's grant.

(c) Exemption.--The Office of Attorney General shall waive the matching funds requirement at the request of a county or municipality during the first year of program implementation.

Section 7. Use of funds.

A municipality selected by the county to receive grant funds shall use the funds to do any of the following:

(1) Hire new police officers. Any new position established must be funded for a minimum of 20 years. During the first four years following implementation of the program, funds must be used to hire new police officers. Following the fourth year of implementation, funds shall be used to pay officers' salaries at the rate of \$25,000 per year per officer.

(2) Use up to 50% of the State funds received for recruiting, training, equipment or other costs associated with maintaining a full-time complement of police officers.

Section 8. Lapse.

Funds from the following appropriations shall lapse to the General Fund:

(1) \$10,000,000 from the appropriation for the Commonwealth Technology Services under section 202 of the act of July 2, 2006 (P.L. , No.2A), known as the General Appropriation Act of 2006.

(2) \$11,500,000 from the appropriation for the Senate

Caucus Operations Account (R) under section 251 of the
General Appropriation Act of 2006.

(3) \$11,500,000 from the appropriation for the Senate
Caucus Operation Account (D) under section 251 of the General
Appropriation Act of 2006.

(4) \$11,500,000 from the appropriation for the House of
Representatives Legislative Management Account (R) under
section 252 of the General Appropriation Act of 2006.

(5) \$11,500,000 from the House of Representatives
Legislative Management Account (D) under section 252 of the
General Appropriation Act of 2006.

Section 9. Appropriation.

The sum of \$56,000,000, or as much thereof as may be
necessary, is hereby appropriated to the Commonwealth Officer
Fund for the fiscal year July 1, 2006, to June 30, 2007, to
carry out the provisions of this act.

Section 10. Effective date.

This act shall take effect immediately.