

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 768 Session of
2007

INTRODUCED BY GRUCELA, BELFANTI, CALTAGIRONE, CAPPELLI, DALEY,
FABRIZIO, FREEMAN, GEIST, HESS, JAMES, MANN, O'NEILL,
PALLONE, PETRONE, SIPTROTH, SOLOBAY, STERN, YOUNGBLOOD AND
YUDICHAK, MARCH 19, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 19, 2007

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for municipal police
3 education and training.

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

6 Section 1. The definition of "police officer" in section
7 2162 of Title 53 of the Pennsylvania Consolidated Statutes is
8 amended and the section is amended by adding a definition to
9 read:

10 § 2162. 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 * * *

15 "Police officer." Any of the following:

16 (1) A full-time or part-time employee assigned to
17 criminal or traffic law enforcement duties of any of the

1 following:

2 (i) A police department of a county, city, borough,
3 town or township.

4 (ii) Any railroad or street railway police.

5 (iii) Any campus or university police department.

6 (iv) The Capitol Police.

7 (v) The Harrisburg International Airport Police.

8 (vi) An airport authority police department.

9 (2) A deputy sheriff of a county of the second class.

10 (3) A security officer of a first class city housing
11 authority or a police officer of a second class city housing
12 authority.

13 (4) A school police officer.

14 The term excludes persons employed to check parking meters or to
15 perform only administrative duties and auxiliary and fire
16 police.

17 * * *

18 "School police officer." An officer employed by a school
19 district who has been granted powers under section 778(c)(2) or
20 (3) of the act of March 10, 1949 (P.L.30, No.14), known as the
21 Public School Code of 1949, or who has been authorized to carry
22 a firearm, or any combination thereof.

23 * * *

24 Section 2. Sections 2167 and 2168 of Title 53 are amended by
25 adding subsections to read:

26 § 2167. Police training.

27 * * *

28 (a.1) School police officers.--All school districts of this
29 Commonwealth shall be required to train their school police
30 officers pursuant to this subchapter prior to their enforcing

1 criminal laws or enforcing moving traffic violations under 75
2 Pa.C.S. (relating to vehicles).

3 * * *

4 § 2168. Automatic certification.

5 * * *

6 (e) School police officers.--Any school police officer who,
7 as of the effective date of this subsection, has successfully
8 completed a basic training course similar to that required under
9 this subchapter shall, after review by the commission, be
10 certified as having met the basic training requirements of this
11 subchapter. Any school police officer who, as of the effective
12 date of this subsection, has not successfully completed a basic
13 training course similar to that required under this subchapter
14 which qualifies the police officer for certification shall be
15 able to perform the duties of a school police officer until
16 certified by the commission, but no longer than two years from
17 the effective date of this subsection.

18 Section 3. Section 2170(a), (c) and (d) of Title 53 are
19 amended to read:

20 § 2170. Reimbursement of expenses.

21 (a) General rule.--The commission shall provide for
22 reimbursement to each municipality and school district of the
23 entire amount of the allowable tuition and the ordinary and
24 necessary living and travel expenses incurred by their police
25 officers while attending certified municipal police basic
26 training schools if the municipality [adheres] and school
27 district adhere to the training standards established by the
28 commission. The regular salary of police officers while
29 attending approved schools shall be paid by the employing
30 municipality or school district, as applicable. The commission

1 shall reimburse the employing municipality or school district
2 for 60% of the regular salaries of police officers while
3 attending schools approved under this subchapter. The commission
4 shall require written documentation of all expenses incurred by
5 municipalities or school districts relating to the training of
6 [municipal] police officers for the purposes of reimbursement by
7 the commission. All municipalities and school districts shall
8 annually audit these funds as part of their annual audit and
9 submit a copy of the audit to the commission. Failure to perform
10 the audit and submit a copy of it to the commission shall render
11 the municipality or school district in violation of this
12 subchapter.

13 * * *

14 (c) Application for funding.--All municipalities and school
15 districts of this Commonwealth or groups of municipalities and
16 school districts acting in concert may make application to the
17 commission for funding pursuant to the provisions of this
18 subchapter. The application shall be accompanied by a certified
19 copy of a resolution adopted by its governing body. The
20 resolution shall provide that, while receiving any State funds
21 pursuant to this subchapter, the municipality or school district
22 agrees to adhere to the standards for training established by
23 the commission. The application shall contain any information
24 that the commission requests.

25 (d) Subsequent employment with another municipality or
26 school district.--If a police officer, within two years
27 following certification, terminates his employment with the
28 municipality or school district by which the officer was
29 employed at the time he was certified as having met the
30 commission's requirement and subsequently obtains employment as

1 a police officer with another municipality or school district,
2 the municipality or school district which employs the previously
3 certified police officer shall reimburse the municipality or
4 school district which formerly employed the police officer for
5 the nonreimbursable portion of the salary paid to the police
6 officer while complying with the provisions of this subchapter.

7 * * *

8 Section 4. This act shall take effect in one year.