

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1244 Session of
2009

INTRODUCED BY BELFANTI, VULAKOVICH, CALTAGIRONE, GOODMAN,
BRENNAN, CARROLL, MURT, DONATUCCI, FRANKEL, GIBBONS,
HORNAMAN, KOTIK, MAHONEY, MCGEEHAN, CASORIO, M. O'BRIEN,
PALLONE AND SIPTROTH, APRIL 8, 2009

AS REPORTED FROM COMMITTEE ON LABOR RELATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 9, 2010

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for law
3 enforcement officers of limited jurisdiction.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 50

9 LAW ENFORCEMENT OFFICERS OF LIMITED JURISDICTION

10 Sec.

11 5001. Scope of chapter.

12 5002. Definitions.

13 5003. Rights.

14 § 5001. Scope of chapter.

15 This chapter shall apply to law enforcement officers of
16 limited jurisdiction in this Commonwealth.

17 § 5002. Definitions.

1 The following words and phrases when used in this chapter
2 shall have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 "Law enforcement officer of limited jurisdiction." Any of
5 the following:

6 (1) A public employee who has the power and duty to
7 arrest under:

8 (i) section 27 of the act of August 6, 1941
9 (P.L.861, No.323), referred to as the Pennsylvania Board
10 of Probation and Parole Law; or

11 (ii) section 211 of the act of April 12, 1951
12 (P.L.90, No.21), known as the Liquor Code.

13 (2) A public employee:

14 (i) whose principal duty is to enforce the drug laws
15 of this Commonwealth; and

16 (ii) whose power and duty to arrest is authorized by
17 the Attorney General under section 201(c) of the act of
18 October 15, 1980 (P.L.950, No.164), known as the
19 Commonwealth Attorneys Act.

20 (3) A PUBLIC EMPLOYEE WHOSE PRINCIPAL DUTIES AND POWERS ←
21 TO ARREST ARE AUTHORIZED UNDER 22 PA.C.S. CH. 33 (RELATING TO
22 RAILROAD AND STREET RAILWAY POLICE).

23 (4) A PUBLIC EMPLOYEE WHO IS CONSIDERED A CAMPUS POLICE
24 OFFICER EMPLOYED BY A STATE-OWNED UNIVERSITY, COMMUNITY
25 COLLEGE OR STATE-RELATED OR STATE-AIDED COLLEGE OR UNIVERSITY
26 WHO EXERCISES POWERS UNDER SECTIONS 2416 AND 2416.1 OF THE
27 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE
28 ADMINISTRATIVE CODE OF 1929.

29 "Public employee." Any individual employed by a public
30 employer. The term does not include elected officials,

1 appointees of the Governor with the advice and consent of the
2 Senate as required by law, management level employees,
3 confidential employees, clergymen or other persons in a
4 religious profession, employees or personnel at church offices
5 or facilities when utilized primarily for religious purposes and
6 those employees covered under the act of June 24, 1968 (P.L.237,
7 No.111), referred to as the Policemen and Firemen Collective
8 Bargaining Act.

9 "Public employer." The Commonwealth of Pennsylvania, its
10 political subdivisions ~~including school districts~~ and any ←
11 officer, board, commission, agency, authority or other
12 instrumentality thereof and any nonprofit organization or
13 institution and any charitable, religious, scientific, literary,
14 recreational, health, educational or welfare institution
15 receiving grants or appropriations from Federal, State or local
16 governments. The term does not include employers covered or
17 presently subject to coverage under the act of June 1, 1937
18 (P.L.1168, No.294), known as the Pennsylvania Labor Relations
19 Act, or the National Labor Relations Act (49 Stat. 449, 29
20 U.S.C. § 151 et seq.).
21 § 5003. Rights.

22 Notwithstanding any other provision of law, a law enforcement
23 officer of limited jurisdiction shall be subject to the act of
24 July 23, 1970 (P.L.563, No.195), known as the Public Employe
25 Relations Act, in the same manner and receive the same rights as
26 units of guards at prisons or mental hospitals or units of
27 employees directly involved with and necessary to the
28 functioning of the courts of this Commonwealth.

29 Section 2. This act shall take effect July 1, 2009 2010, or ←
30 immediately, whichever is later.