AMENDMENTS TO HOUSE BILL NO. 49

Sponsor: SENATOR LANGERHOLC

Printer's No. 1972

Amend Bill, page 1, lines 5 and 6, by striking out "in high schools, further providing" in line 5 and all of line 6 and inserting

in school security, further providing for definitions, for school police officers, for training, for powers and duties, for school resource officers and for school security guards; in high schools, further providing for courses of study; in miscellaneous provisions relating to institutions of higher education, further providing for Public Higher Education Funding Commission; and, in fostering independence through education, further providing for fostering independence waiver program.

Amend Bill, page 1, lines 9 through 11, by striking out all of said lines and inserting

Section 1. The definition of "school security guard" in section 1301-C of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended July 2, 2019 (P.L.406, No.67), is amended to read:

Section 1301-C. Definitions.

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

* * *

"School security guard." An individual employed by a school entity, nonpublic school or a third-party vendor or an independent contractor who is assigned to a school for routine safety and security duties and has not been granted powers under section [1306-C(3)] 1306-C(a)(3) or (b).

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Section 2. Sections 1302-C(b)(2), 1305-C(a), 1306-C, 1313-C(a.1)(2) and 1314-C(b) of the act, amended July 2, 2019 (P.L.406, No.67), are amended to read:

Section 1302-C. School police officers.

* * *

(b) Appointment.--

* * *

(2) The judge may, at the request of the school entity or nonpublic school, grant the school police officer the powers as provided under section 1306-C(b), the authority to issue citations for summary offenses as provided in section [1306-C(3)] 1306-C(a)(3) or the authority to detain students until the arrival of local law enforcement or any combination thereof.

* * *

Section 1305-C. Training.

(a) General rule.--A school police officer who has been granted powers under section [1306-C(3)] 1306-C(a)(3) or (b) or has been authorized to carry a firearm must, before entering upon the duties of the office, satisfy the following:

(1) Successfully complete basic training as required by the Municipal Police Officers' Education and Training Commission under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training) or has graduated from the Pennsylvania State Police Academy, has been employed as a State trooper with the Pennsylvania State Police and has separated from that service in good standing.

(2) (i) Successfully complete the Basic School Resource Officer Course offered by the National Association of School Resource Officers or an equivalent course of instruction approved by the commission.

(ii) A school police officer who is [currently] employed or contracted by a school entity or nonpublic school before September 2, 2019, shall have [six months from the effective date of this paragraph] until the beginning of the 2020-2021 school year to complete the instruction.

* * *

Section 1306-C. Powers and duties.

(a) General rule.--A school police officer appointed under section 1302-C(b) shall possess and exercise all the following powers and duties:

(1) To enforce good order in school buildings, on school buses and on school grounds in the respective school entities or nonpublic schools. For purposes of this paragraph, the term "school bus" shall include a vehicle leased by the school entity or nonpublic school to transport students and a vehicle of mass transit used by students to go to and from school and school activities when the school police officer responds to a report of an incident involving a breach of good order or violation of law.

(3) If authorized by the court, to issue summary citations or to detain individuals in school buildings, on school buses and on school grounds in the respective school entities or nonpublic schools until local law enforcement is notified.

(b) Specific powers.--If authorized by the court, a school

police officer who is a law enforcement officer employed by a school entity or nonpublic school whose responsibilities, including work hours, are established by the school entity or nonpublic school, may exercise the same powers as exercised under authority of law or ordinance by the police of the municipality in which the school property is located.

Section 1313-C. School resource officers.

* * *

(a.1) Training.--

* * *

(2) A school resource officer who is [currently] stationed in a school entity or nonpublic school before September 2, 2019, shall have [six months from the effective date of this subsection] until the beginning of the 2020-2021 school year to complete the instruction.

* * *

Section 1314-C. School security guards.

* * *

(b) Training.--The following shall apply:

(1) [A] Prior to entering upon the duties of the office, a school security guard shall successfully complete the Basic School Resource Officer Course offered by the National Association of School Resource Officers or an equivalent course of instruction approved by the commission.

(2) A school security guard who is [currently] employed or contracted by a school entity or nonpublic school before September 2, 2019, shall have [six months from the effective date of this subsection] until the beginning of the 2020-2021 school year to complete the instruction.

* * *

Section 3. Section 1605 of the act is amended by adding a subsection to read:

Amend Bill, page 2, by inserting between lines 22 and 23

Section 4. Section 2001-I(i)(13) of the act, added July 2, 2019 (P.L.417, No.70), is amended to read:

Section 2001-I. Public Higher Education Funding Commission.

* * *

(i) Additional powers and duties.--The commission shall have all of the following powers and duties:

* * *

(13) Issue a report of the commission's findings and recommendations to the Governor, the President pro tempore of the Senate, the Speaker of the House of Representatives, the Majority Leader and Minority Leader of the Senate, the Majority Leader and Minority Leader of the House of Representatives, the Secretary of Education, the State Board of Education, the Appropriations Committee of the Senate, the Appropriations Committee of the House of Representatives, the Education Committee of the Senate and the Education Committee

of the House of Representatives not later than [one year after the effective date of this section] November 30, 2020.

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Section 5. Section 2602-K(c) of the act, added June 28, 2019 (P.L.117, No.16), is amended to read:

Section 2602-K. Fostering independence waiver program.

* * *

(c) Eligibility.--In order to receive a fostering independence waiver under this section, an individual must be a current resident of this Commonwealth and eligible for the Pennsylvania Chafee Education and Training Grant Program under the Foster Care Independence Act of 1999 (Public Law 106-169, 113 Stat. 1822) as administered by the Department of Human Services and must have applied for all available Federal and State grants.

* * *

Amend Bill, page 2, line 23, by striking out "2" and inserting

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Amend Bill, page 2, line 23, by striking out "in 60 days." and inserting

as follows:

(1) The following provisions shall take effect immediately:

(i) The amendment of the definition of "school security guard" in section 1301-C and sections 1302-C(b)(2), 1305-C(a), 1306-C, 1313-C(a.1)(2) and 1314-C(b) of the act.

(ii) This section.

(2) The remainder of this act shall take effect in 60 days.