

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 115 Session of
1999

INTRODUCED BY TANGRETTI, EVANS, PERZEL, J. TAYLOR, KENNEY,
STEELMAN, NICKOL, MANDERINO, MELIO AND ORIE, JANUARY 25, 1999

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 16, 1999

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for municipal police
3 education and training ~~and for powers and duties of the~~ <—
4 ~~commission~~; AND LIMITING THE APPLICATION OF CERTAIN MUNICIPAL <—
5 ORDINANCES.

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

8 Section 1. The definitions of "police department" and
9 "police officer" in section 2162 of Title 53 of the Pennsylvania
10 Consolidated Statutes are amended to read:

11 § 2162. Definitions.

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

15 * * *

16 "Police department." Any of the following:

17 (1) A public agency of a political subdivision having
18 general police powers and charged with making arrests in

1 connection with the enforcement of the criminal or traffic
2 laws. This paragraph includes the sheriff's office in a
3 county of the second class.

4 (2) A campus police or university police department, as
5 used in section 2416 of the act of April 9, 1929 (P.L.177,
6 No.175), known as The Administrative Code of 1929, certified
7 by the Office of Attorney General as a criminal justice
8 agency under the definition of "criminal justice agency" in
9 18 Pa.C.S. § 9102 (relating to definitions). This paragraph
10 does not include a campus police or university police
11 department of the State System of Higher Education and its
12 member institutions.

13 (3) A railroad or street railway police department
14 formed with officers commissioned under 22 Pa.C.S. Ch. 33
15 (relating to railroad and street railway police) or any prior
16 statute providing for such commissioning.

17 "Police officer." Any full-time or part-time employee of a
18 city, borough, town, township, railroad or street railway
19 police, campus police or university police or county police
20 department assigned to criminal or traffic law enforcement
21 duties; any deputy sheriff of a county of the second class; and,
22 for the purpose of training only, security officers of a first
23 class city housing authority. The term excludes persons employed
24 to check parking meters or to perform only administrative duties
25 and auxiliary and fire police.

26 * * *

27 ~~Section 2. Section 2164(10) of Title 53 is amended and the~~ <—
28 ~~section is amended by adding a paragraph to read:~~
29 ~~§ 2164. Powers and duties of commission.~~

30 ~~The powers and duties of the commission shall be as follows:~~

1 * * *

2 ~~(1.1) To establish and administer mandatory minimum~~
3 ~~courses of study for leadership and managerial professional~~
4 ~~development training for police officers with the rank of~~
5 ~~lieutenant or above. Coursework shall be designed as part of~~
6 ~~the annual certification process to train the above mentioned~~
7 ~~police officers in subject areas, including, but not limited~~
8 ~~to:~~

9 ~~(i) effective management communication;~~

10 ~~(ii) essentials of leadership;~~

11 ~~(iii) effective management of personnel;~~

12 ~~(iv) essentials of management;~~

13 ~~(v) review of best practices of other policing~~
14 ~~agencies and departments throughout the nation;~~

15 ~~(vi) legal updates; and~~

16 ~~(vii) Federal and State sources of funding~~
17 ~~assistance for law enforcement agencies and the means of~~
18 ~~accessing said sources.~~

19 * * *

20 ~~(10) To consult and cooperate with universities,~~
21 ~~colleges, community colleges and institutes for the~~
22 ~~development of specialized courses for police officers,~~
23 ~~including, but not limited to, those courses designed to~~
24 ~~teach effective leadership and managerial skills.~~

25 * * *

26 Section 3 2. Section 2168 of Title 53 is amended by adding a <—
27 subsection to read:

28 § 2168. Automatic certification.

29 * * *

30 ~~(d) Railroad and street railway police.--Any railroad and OR <—~~

1 street railway police officer who, as of the effective date of
2 this subsection, has successfully completed a basic training
3 course similar to that required under this chapter shall, after
4 review by the commission, be certified as having met the basic
5 requirements of this chapter. Any railroad and OR street railway <—
6 police officer who, as of the effective date of this subsection,
7 has not successfully completed a basic training course similar
8 to that required under this chapter which qualifies the police
9 officer for certification shall be able to perform the duties of
10 a railroad and OR street railway police officer until certified <—
11 by the commission, but no longer than one year from the
12 effective date of this subsection.

13 SECTION 3. SECTION 2170(E) OF TITLE 53 IS AMENDED TO READ: <—
14 § 2170. REIMBURSEMENT OF EXPENSES.

15 * * *

16 (E) PAYMENT OF MANDATORY IN-SERVICE TRAINING.--THE
17 COMMISSION MAY PAY FOR THE COST OF MANDATORY IN-SERVICE TRAINING
18 FOR ALL POLICE OFFICERS TO THE EXTENT DETERMINED BY THE
19 COMMISSION. HOWEVER, [A] COLLEGE [OR], UNIVERSITY, RAILROAD AND
20 STREET RAILWAY POLICE SHALL NOT BE ELIGIBLE FOR REIMBURSEMENT OF
21 ANY EXPENSE UNDER THIS SECTION [INCURRED DURING CAMPUS OR
22 UNIVERSITY POLICE OFFICER TRAINING].

23 ~~Section 4. This act shall take effect in 60 days.~~ <—

24 SECTION 4. CHAPTER 21 OF TITLE 53 IS AMENDED BY ADDING A <—
25 SUBCHAPTER TO READ:

26 SUBCHAPTER E
27 EMPLOYEE BENEFITS
28 SEC.

29 2181. HEALTH INSURANCE ORDINANCES.
30 § 2181. HEALTH INSURANCE ORDINANCES.

1 AN ORDINANCE ADOPTED BY A MUNICIPALITY WHICH REQUIRES, OR THE
2 EFFECT OF WHICH IS TO REQUIRE, THE PROVISION OF HEALTH INSURANCE
3 OR OTHER EMPLOYEE HEALTH CARE BENEFITS SHALL NOT APPLY TO A
4 STATE-OWNED OR STATE-RELATED COLLEGE OR UNIVERSITY.

5 SECTION 5. ANY MUNICIPAL ORDINANCE IN EFFECT ON THE
6 EFFECTIVE DATE OF THE ADDITION OF 53 PA.C.S. § 2181 THAT IS
7 INCONSISTENT WITH THAT SECTION SHALL BE VOID AS IT RELATES TO A
8 STATE-OWNED OR STATE-RELATED COLLEGE OR UNIVERSITY.

9 SECTION 6. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

10 (1) THE ADDITION OF 53 PA.C.S. CH. 21 SUBCH. E SHALL
11 TAKE EFFECT IMMEDIATELY.

12 (2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

13 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
14 DAYS.