

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1860 Session of
2003

INTRODUCED BY PALLONE, PETRARCA, TANGRETTI, CASORIO, CREIGHTON,
RUFFING, SHANER, SOLOBAY, YOUNGBLOOD AND THOMAS,
JULY 15, 2003

SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, NOVEMBER 15, 2004

AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled,
2 as amended, "An act relating to counties of the first, third,
3 fourth, fifth, sixth, seventh and eighth classes; amending,
4 revising, consolidating and changing the laws relating
5 thereto; relating to imposition of excise taxes by counties,
6 including authorizing imposition of an excise tax on the
7 rental of motor vehicles by counties of the first class; and
8 providing for regional renaissance initiatives," further
9 providing for police duties AND FOR INVESTMENT OF COUNTY <—
10 FUNDS.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 ~~Section 1. Sections 2511 and 2512 of the act of August 9,~~ <—
14 ~~1955 (P.L.323, No.130), known as The County Code, are amended to~~
15 ~~read:~~

16 SECTION 1. SECTION 1706(E) OF THE ACT OF AUGUST 9, 1955 <—
17 (P.L.323, NO.130), KNOWN AS THE COUNTY CODE, AMENDED DECEMBER
18 13, 1982 (P.L.1131, NO.258), IS AMENDED TO READ:

19 SECTION 1706. INVESTMENT OF FUNDS.--* * *

20 (E) IN MAKING INVESTMENTS OF COUNTY FUNDS, THE COMMISSIONERS

(OR OTHER ELECTED OFFICIALS WHEN AUTHORIZED AS PROVIDED IN
SUBSECTION (A)) SHALL HAVE AUTHORITY:

(1) TO PERMIT ASSETS PLEDGED AS COLLATERAL UNDER SUBSECTION
(C)(3), TO BE POOLED IN ACCORDANCE WITH THE ACT OF AUGUST 6,
1971 (P.L.281, NO.72), ENTITLED "AN ACT STANDARDIZING THE
PROCEDURES FOR PLEDGES OF ASSETS TO SECURE DEPOSITS OF PUBLIC
FUNDS WITH BANKING INSTITUTIONS PURSUANT TO OTHER LAWS;
ESTABLISHING A STANDARD RULE FOR THE TYPES, AMOUNTS AND
VALUATIONS OF ASSETS ELIGIBLE TO BE USED AS COLLATERAL FOR
DEPOSITS OF PUBLIC FUNDS; PERMITTING ASSETS TO BE PLEDGED
AGAINST DEPOSITS ON A POOLED BASIS; AND AUTHORIZING THE
APPOINTMENT OF CUSTODIANS TO ACT AS PLEDGEES OF ASSETS,"
RELATING TO PLEDGES OF ASSETS TO SECURE DEPOSITS OF PUBLIC
FUNDS.

(2) TO COMBINE MONEYS FROM MORE THAN ONE FUND UNDER COUNTY
CONTROL FOR THE PURCHASE OF A SINGLE INVESTMENT, PROVIDED THAT
EACH OF THE FUNDS COMBINED FOR THE PURPOSE SHALL BE ACCOUNTED
FOR SEPARATELY IN ALL RESPECTS AND THAT THE EARNINGS FROM THE
INVESTMENT ARE SEPARATELY AND INDIVIDUALLY COMPUTED AND RECORDED
AND CREDITED TO THE ACCOUNTS FROM WHICH THE INVESTMENT WAS
PURCHASED.

(3) TO JOIN WITH ONE OR MORE OTHER POLITICAL SUBDIVISIONS
AND MUNICIPAL AUTHORITIES IN ACCORDANCE WITH [THE ACT OF JULY
12, 1972 (P.L.762, NO.180), ENTITLED "AN ACT RELATING TO
INTERGOVERNMENTAL COOPERATION,"] 53 PA.C.S. CH. 23 SUBCH. A
(RELATING TO INTERGOVERNMENTAL COOPERATION) IN THE PURCHASE OF A
SINGLE INVESTMENT, PROVIDED THAT THE REQUIREMENTS OF CLAUSE (2)
ON SEPARATE ACCOUNTING OF INDIVIDUAL FUNDS AND SEPARATE
COMPUTATION, RECORDING AND CREDITING OF THE EARNINGS THEREFROM
ARE ADHERED TO.

1 (4) TO JOIN WITH THE COMMONWEALTH, POLITICAL SUBDIVISION OR
2 REDEVELOPMENT AUTHORITY IN THE PURCHASE OF REAL ESTATE FOR THE
3 PURPOSES OF COMMUNITY AND ECONOMIC DEVELOPMENT.

4 (5) TO GRANT FUNDS TO THE COMMONWEALTH, POLITICAL
5 SUBDIVISION OR REDEVELOPMENT AUTHORITY FOR THE PURPOSES OF
6 SUPPORTING COMMUNITY AND ECONOMIC DEVELOPMENT PROJECTS.

7 SECTION 2. SECTIONS 2511 AND 2512 OF THE ACT ARE AMENDED TO
8 READ:

9 Section 2511. Employees; Police.--(a) For the purpose of
10 performing all necessary duties relating to the establishing,
11 making, enlarging, extending and maintaining public parks,
12 buildings and other county-owned properties and for enforcing
13 the rules and regulations ordained or resolved by the county
14 commissioners or by any body or board of control where no
15 penalty or fine is involved, the county commissioners of the
16 county are hereby authorized to employ or appoint and equip
17 proper persons to do all necessary and proper work connected
18 therewith, including police or guard duty.

19 (b) The board of commissioners of any county of the third
20 class THAT IS CONTIGUOUS TO A COUNTY OF THE SECOND CLASS may, by <—
21 ordinance, create or disband a county park police force within
22 the county. When such a county park police force is created in
23 accordance herewith, the county commissioners shall have power
24 to employ the number of officers as may be fixed by the salary
25 board of the county. The compensation of the county park police
26 officers shall be paid by the county.

27 Section 2512. Duty of Police.--(a) It shall be the duty of
28 the police, county park police or guards appointed to duty in
29 any recreation places, buildings and other county-owned
30 properties, without warrant, forthwith to arrest any offender

1 against the rules and regulations, ordained or resolved by the
2 county commissioners, that they may detect in the commission of
3 such offense, and to take the person so arrested forthwith
4 before a magistrate, alderman or justice of the peace having
5 competent jurisdiction.

6 (b) In the ordinance creating a county park police force,
7 the county commissioners shall designate a primary
8 jurisdictional area upon which the county park police officers
9 shall have jurisdiction, and which shall include only property
10 owned, leased or controlled by the county, by a county municipal
11 authority, county redevelopment authority, county industrial
12 development authority or agency, or county airport authority, or
13 by a community college of which the county is a local sponsor,
14 whether such property is within or outside the territorial
15 limits of the county. A county road, street or highway shall not
16 be designated or considered as a primary jurisdictional area
17 unless it is located within the boundaries of a geographical
18 area otherwise designated by ordinance as a primary
19 jurisdictional area pursuant to this section.

20 (c) County park police shall have the power and their duty
21 shall be:

22 (1) to enforce good order and protect the grounds and
23 buildings within a primary jurisdictional area;

24 (2) to exclude all disorderly persons from the grounds and
25 buildings within a primary jurisdictional area;

26 (3) to exercise the same powers as are now or may hereafter
27 be exercised under authority of law or ordinance by the police
28 of the municipalities wherein the primary jurisdictional area is
29 located, including, but not limited to, those powers conferred
30 pursuant to 42 Pa.C.S. Ch. 89 Subch. D (relating to municipal

1 police jurisdiction);

2 (4) to prevent crime, investigate criminal acts, apprehend,
3 arrest and charge criminal offenders and issue summary citations
4 for acts committed on the grounds and in the buildings of the
5 primary jurisdictional area and carry the offender before the
6 proper authority and prefer charges against the offender under
7 the laws of this Commonwealth. Except when acting pursuant to 42
8 Pa.C.S. Ch. 89 Subch. D, county park police shall exercise these
9 powers and perform these duties only on the grounds of the
10 primary jurisdictional area;

11 (5) to order off the grounds and out of the buildings within
12 the primary jurisdictional area all vagrants, loafers,
13 trespassers and persons under the influence of liquor and, if
14 necessary, remove them by force and, in case of resistance,
15 carry such offenders before the proper authority; and

16 (6) to arrest any person who damages, mutilates or destroys
17 the trees, plants, shrubbery, turf, grass plots, benches,
18 buildings, and structures or commits any other offense on the
19 grounds and in the buildings within the primary jurisdictional
20 area, and carry the offender before the proper authority and
21 prefer charges against the offender under the laws of this
22 Commonwealth.

23 (d) The county commissioners shall designate, from the
24 county park police officers, the chief and such other ranks or
25 classifications of officers as desired by the county
26 commissioners.

27 Section 2 3. This act shall take effect in 60 days.

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