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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1561 Session of 2005

INTRODUCED BY GRUCELA, BLAUM, BELFANTI, CALTAGIRONE, CRAHALLA, DeWEESE, FABRIZIO, FREEMAN, GEORGE, O'NEILL, REICHLEY, ROEBUCK, SCAVELLO, SIPTROTH, SHANER, SOLOBAY, STABACK, STERN, TANGRETTI, THOMAS, TIGUE, WANSACZ, WHEATLEY, WOJNAROSKI, YOUNGBLOOD AND YUDICHAK, MAY 10, 2005

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 10, 2005

AN ACT

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

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

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

§ 2162. Definitions.

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

* * *

"Police officer." Any of the following:

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

following:

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

(ii) Any railroad or street railway police.

(iii) Any campus or university police department.

(iv) The Capitol Police.

(v) The Harrisburg International Airport Police.

(vi) An airport authority police department.

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

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

(4) A school police officer.

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

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

* * *

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

§ 2167. Police training.

* * *

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

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

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§ 2168. Automatic certification.

* * *

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

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

§ 2170. Reimbursement of expenses.

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

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

* * *

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

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

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

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