

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1189 Session of
2007

INTRODUCED BY PERZEL, ADOLPH, BLACKWELL, BOYD, BUXTON, CAPPELLI,
DALEY, DENLINGER, DePASQUALE, DONATUCCI, J. EVANS, EVERETT,
FREEMAN, GEIST, GILLESPIE, GINGRICH, GODSHALL, HENNESSEY,
HESS, JAMES, W. KELLER, KENNEY, KILLION, KIRKLAND, KOTIK,
MARSHALL, MICOZZIE, MOUL, MOYER, MYERS, O'NEILL, PHILLIPS,
PYLE, QUIGLEY, RAPP, RAYMOND, READSHAW, REICHLEY, SCAVELLO,
SOLOBAY, SONNEY, J. TAYLOR, VEREB, WATSON, YOUNGBLOOD AND
YUDICHAK, MAY 4, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MAY 4, 2007

AN ACT

1 Establishing and providing for the administration of the
2 Commonwealth Officer Program and the Commonwealth Officer
3 Fund; providing for duties of the Office of Attorney General;
4 lapsing certain funds; and making an appropriation.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Commonwealth
9 Officer Act.

10 Section 2. Definitions.

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

14 "Fund." The Commonwealth Officer Fund established under
15 section 4.

16 "Police department." A public agency of a municipality

1 having general police powers and charged with making arrests in
2 connection with the enforcement of criminal or traffic laws. The
3 term includes a regional police department organized under 53
4 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental
5 cooperation).

6 "Police officer." A full-time active sworn officer employed
7 by a municipality and assigned to criminal law enforcement or
8 traffic duties in a specific uniformed police district within a
9 municipality. The term does not include:

10 (1) Auxiliary and fire police.

11 (2) Persons assigned to transportation centers.

12 (3) Persons employed to check parking meters or to
13 perform only administrative duties.

14 (4) Persons on special detail or on restricted or
15 limited duty.

16 "Program." The Commonwealth Officer Program established
17 under section 3.

18 "Salary." Includes base pay and health benefits. The term
19 does not include overtime, longevity or pension compensation.

20 Section 3. Program.

21 The Commonwealth Officer Program is hereby established in the
22 Office of Attorney General. The goal of the program is to
23 provide State support to communities throughout this
24 Commonwealth to hire 10,000 new police officers by the year
25 2011. The Office of Attorney General shall do the following:

26 (1) Administer the program.

27 (2) Review, approve and award grants to applicants under
28 the program.

29 Section 4. Fund.

30 There is hereby established in the State Treasury a special

1 fund to be known as the Commonwealth Officer Fund. Deposits in
2 the fund shall include moneys appropriated pursuant to section 9
3 and other moneys appropriated to the fund. All moneys deposited
4 in the fund and interest which accrues from those funds are
5 appropriated on a continuing basis for the purposes of this act.
6 Section 5. Dedication of funding.

7 (a) Priority.--The Office of Attorney General shall allocate
8 the moneys available in the fund in the following order of
9 priority:

10 (1) Rural municipalities employing fewer than ten police
11 officers.

12 (2) Municipalities in counties with the highest
13 percentage of total crimes reported Statewide as recorded in
14 the Pennsylvania Uniform Crime Reporting System.

15 (3) Municipalities in counties having the largest
16 population.

17 (b) Formula.--The Office of Attorney General shall develop a
18 formula for award of program grants which uses a county's
19 existing number of police officers, crime rate and population to
20 achieve the funding priority under subsection (a).

21 Section 6. Applications.

22 (a) Submission.--A county may submit an application to the
23 Office of Attorney General for a program grant. An application
24 shall:

25 (1) Include a commitment from the county to invest
26 matching funds in the program.

27 (2) Include a commitment from a municipality selected by
28 the county to receive a program grant to invest matching
29 funds in the program.

30 (b) Minimum matching funds required.--A county receiving a

1 program grant shall commit matching funds in an amount
2 equivalent to no less than 30% of the total grant to the county.
3 A municipality selected by the county to receive grant funds
4 shall commit matching funds in an amount equivalent to no less
5 than 20% of the municipality's grant.

6 Section 7. Use of funds.

7 A municipality selected by the county to receive grant funds
8 shall use the funds to do any of the following:

9 (1) Hire new police officers. Any new position
10 established must be funded for a minimum of 20 years. During
11 the first four years following implementation of the program,
12 funds must be used to hire new police officers. Following the
13 fourth year of implementation, funds shall be used to pay
14 officers' salaries at the rate of \$25,000 per year per
15 officer.

16 (2) Use up to 50% of the State funds received for
17 recruiting, training, equipment or other costs associated
18 with maintaining a full-time complement of police officers.

19 Section 8. Lapse.

20 Funds from the following appropriations shall lapse to the
21 General Fund:

22 (1) \$10,000,000 from the appropriation for the
23 Commonwealth Technology Services under section 202 of the act
24 of July 2, 2006 (P.L. , No.2A), known as the General
25 Appropriation Act of 2006.

26 (2) \$11,500,000 from the appropriation for the Senate
27 Caucus Operations Account (R) under section 251 of the
28 General Appropriation Act of 2006.

29 (3) \$11,500,000 from the appropriation for the Senate
30 Caucus Operation Account (D) under section 251 of the General

1 Appropriation Act of 2006.

2 (4) \$11,500,000 from the appropriation for the House of
3 Representatives Legislative Management Account (R) under
4 section 252 of the General Appropriation Act of 2006.

5 (5) \$11,500,000 from the House of Representatives
6 Legislative Management Account (D) under section 252 of the
7 General Appropriation Act of 2006.

8 Section 9. Appropriation.

9 The sum of \$56,000,000, or as much thereof as may be
10 necessary, is hereby appropriated to the Commonwealth Officer
11 Fund for the fiscal year July 1, 2007, to June 30, 2008, to
12 carry out the provisions of this act.

13 Section 20. Effective date.

14 This act shall take effect immediately.