

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 901 Session of
2009

INTRODUCED BY DENLINGER, BENNINGHOFF, BELFANTI, BEYER, BOYD,
BRENNAN, CLYMER, DAY, FAIRCHILD, FLECK, GEIST, GINGRICH,
HUTCHINSON, MANN, D. O'BRIEN, PERRY, ROAE, ROCK, ROHRER,
STERN AND J. TAYLOR, MARCH 12, 2009

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 12, 2009

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for powers and
3 duties of Municipal Police Officers' Education and Training
4 Commission.

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

7 Section 1. Section 2164(1) of Title 53 of the Pennsylvania
8 Consolidated Statutes, amended October 9, 2008 (P.L.1385,
9 No.105), is amended to read:

10 § 2164. Powers and duties of commission.

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

12 (1) To establish and administer the minimum courses of
13 study for basic and in-service training for police officers
14 and to revoke an officer's certification when an officer
15 fails to comply with the basic and in-service training
16 requirements or is convicted of a criminal offense or the
17 commission determines that the officer is physically or
18 mentally unfit to perform the duties of his office.

1 (2) To approve or revoke the approval of any school
2 which may be utilized to comply with the educational and
3 training requirements as established by the commission.

4 (3) To establish the minimum qualifications for
5 instructors, to approve or revoke the approval of any
6 instructor and to develop the requirements for continued
7 certification.

8 (4) To promote the most efficient and economical program
9 for police training by utilizing existing facilities,
10 programs and qualified Federal, State and local police
11 personnel.

12 (5) To make an annual report to the Governor and to the
13 General Assembly concerning the administration of the
14 Municipal Police Officers' Education and Training Program and
15 the activities of the commission, together with
16 recommendations for executive or legislative action necessary
17 for the improvement of law enforcement and the administration
18 of justice.

19 (6) To require every police officer to attend a minimum
20 number of hours of in-service training as provided for by
21 regulation, unless the officer's employer files a show cause
22 document with the commission requesting additional time for
23 the officer to comply with the in-service training
24 requirements. Approval of this request shall be made by the
25 commission on a case-by-case basis.

26 (7) To require all police officers to undergo a
27 background investigation to determine the individual's
28 suitability for employment as a police officer. This
29 investigation shall be completed prior to the employment of
30 the officer and shall include a criminal history check, a

1 credit check, personal interviews and any other applicable
2 means of determining eligibility. An applicant who has been
3 convicted of a felony or serious misdemeanor shall not be
4 eligible for employment as a police officer.

5 (8) To require minimum standards for physical fitness,
6 visual acuity, audio acuity, psychological evaluation and
7 education as prerequisites to employment as a police officer.
8 The standards shall require an applicant to have audio acuity
9 sufficient to distinguish a normal whisper at a distance of
10 15 feet. The test shall be independently conducted for each
11 ear while the tested ear is facing away from the speaker and
12 the other ear is firmly covered with the palm of the hand. If
13 the applicant fails this test, the applicant shall be
14 required to take and pass a decibel audio test. The applicant
15 may use a hearing aid or other aid to perform any audio
16 acuity test required under this subsection.

17 (9) To appoint an executive director to administer the
18 training program established by this subchapter. The position
19 of executive director shall be filled by the commission which
20 shall select the best qualified person from a list of three
21 persons nominated by the chairman. The person who receives a
22 simple majority of those members present and voting shall
23 become the executive director. If the commission rejects all
24 nominees, then the process shall be repeated until a person
25 is selected. The executive director shall be directly
26 responsible to the commission and may be dismissed only by
27 two-thirds vote of the commission. The executive director
28 shall employ a sufficient staff, including professional,
29 administrative and clerical personnel, to perform the tasks
30 of the office, including the preparation of an annual budget.

1 (10) To consult and cooperate with universities,
2 colleges, community colleges and institutes for the
3 development of specialized courses for police officers.

4 (11) To consult and cooperate with departments and
5 agencies of this Commonwealth and other states and the
6 Federal Government concerned with police training.

7 (12) To certify police officers who have satisfactorily
8 completed basic educational and training requirements as
9 established by the commission and to issue appropriate
10 certificates to those police officers.

11 (13) To visit and inspect approved schools at least once
12 a year.

13 (14) To make such rules and regulations and to perform
14 such other duties as may be reasonably necessary or
15 appropriate to implement the education and training program
16 for police officers.

17 (15) To grant waivers of mandatory basic training to
18 police officers who have successfully completed previous
19 equivalent training or who have acceptable full-time police
20 experience, or both.

21 Section 2. This act shall take effect in 60 days.