

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1738

PRINTER NO. 3609

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

August 24, 2017

PRIME SPONSOR

Representative Marsico

DESCRIPTION

House Bill 1738 amends Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to provide for extra-territorial jurisdiction for non-municipal police under certain circumstances.

This legislation amends Title 42 by adding a new § 8953.1 (relating to non-municipal police extra-territorial jurisdiction). This new section authorizes a non-municipal police officer to enforce the laws of the Commonwealth beyond the territorial limit of the jurisdiction established for the officer's nonmunicipal police department by law in the following circumstances:

- If the officer is in hot pursuit of a person for an offense which was committed, or which the officer has probable cause to believe was committed, within the officer's jurisdiction and for which the officer continues in fresh pursuit of the person after the commission of the offense;
- If the officer has been requested to aid or assist a federal, state or local law enforcement officer or park police officer or has probable cause to believe that the other officer is in need of aid or assistance;
- If, while on official business, the officer views an offense and makes a reasonable effort to identify himself or herself as a police officer and the offense is:
 - 1) A felony;
 - 2) A misdemeanor; or
 - 3) A breach of the peace or other act that presents an immediate clear and present danger to a person or property.
- If the officer views an offense that is a felony and makes a reasonable effort to identify himself or herself as a police officer.

The term "non-municipal police department" is defined by referencing a definition in 53 Pa. C.S. § 2162, which includes a college or university campus police department certified by the Office of Attorney General as a criminal justice agency, a railroad police department, the Capitol Police, the Harrisburg International Airport Police and an airport authority police department. The bill was amended to include the Office of Attorney General.

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The term “non-municipal police officer” is defined as a police officer employed by a non-municipal police department as a regular full-time or part-time police officer and an agent of the Office of Attorney General.

This act shall take effect in 60 days.

FISCAL IMPACT:

Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds. Any costs to non-municipal police forces occurring as a result of this legislation should be minimal and able to be accommodated within existing resources.