

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** House Bill 1614

**PRINTER NO.** 2214

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

June 11, 2019

**PRIME SPONSOR**

Representative Kauffman

**DESCRIPTION AND PURPOSE OF BILL**

House Bill 1614, Printer's Number 2214 amends Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes relating to statewide municipal police jurisdiction, non-municipal police extraterritorial jurisdiction and for agents of the Office of Attorney General.

Sections 6105 (relating to persons not to possess, use, manufacture, control, sell or transfer firearms) and 6111 (relating to transfer of firearms) of Title 18 are amended by adding subsections providing that the Attorney General (OAG) will have concurrent jurisdiction to prosecute violations of the sections in a city of the first class (Philadelphia) where the Attorney General has operated a joint local-state firearm task force. It is clarified that no person charged with a violation of either section by the (OAG) shall have standing to challenge the authority of the OAG to prosecute the case.

Sections 8953, 8953.1 and 8953.2 of Title 42 are amended to extend the jurisdiction of a municipal police officer, non-municipal police officer and agents of the OAG during the following circumstances:

- If the officer has been requested to aid or assist a federal, state or local law enforcement officer or park police officer;
- Has probable cause to believe that a federal, state or local law enforcement officer or park police officer is in need of aid or assistance; or
- Has been requested to participate in a federal, state or local task force, and participation has been approved by the police department of the municipality which employs the officer, the officer's non-municipal police department or the OAG.

A new section 8955 (relating to interpretation) is amended into Title 42 to provide that these authorities shall not be subject to the Intergovernmental Cooperation Law (53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation)).

The amendments to sections 8953, 8953.1, 8953.2 and the addition of section 8955 of Title 42 are intended to reverse the Pennsylvania Supreme Court's interpretation of 42 Pa.C.S. Ch. 89 Subch. D. Therefore, these sections shall apply retroactively to law enforcement conduct on or after June 15, 1982.

The amendments to Title 18 shall take effect in 60 days.

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## FISCAL NOTE

### **FISCAL IMPACT:**

Enactment of this legislation will have no fiscal impact on Commonwealth funds. Any costs associated with fulfilling the duties of prosecuting violations of PA.C.S. 18, sections 6105 and 6111 by the OAG can be accommodated with the agency's current workload and budget.