

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 1910

PRINTER NO. 4012

AMOUNT

No Fiscal Impact

FUND

General Fund
Motor License Fund

DATE INTRODUCED

October 11, 2019

PRIME SPONSOR

Representative Williams

DESCRIPTION

House Bill 1910 amends Titles 42 (Judiciary and Judicial Procedure), 44 (Law and Justice) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to update municipal police training and magisterial district judge training.

Title 42

Section 3118(a) is amended to require the magisterial district judge annual continuing education to contain a course in the identification and reporting of suspected child abuse as defined by 23 Pa.C.S. Ch. 63 (relating to child protective services) and court proceedings involving children.

Title 44

House Bill 1910 creates Chapter 72, entitled Mental Health Evaluations to provide for evaluations for the purpose of assessing possible post-traumatic stress disorder (PTSD) under certain circumstances.

Section 7203 provides that as a condition of continued employment, and without cost to the law enforcement officer, a law enforcement agency shall provide a law enforcement officer with a mental health evaluation for PTSD by a licensed mental health professional:

- 1) Upon request of the law enforcement officer;
- 2) Upon recommendation of a police chief or other supervising law enforcement officer; or
- 3) Within 30 days of an incident of the use of lethal force during the course of law enforcement duties.

If a licensed mental health professional determines that a law enforcement officer has symptoms of PTSD, the law enforcement officer shall be provided with treatment under a licensed physician's care until the licensed physician determines in writing that the law enforcement officer is able to resume full duties.

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A law enforcement officer shall be assigned to administrative duty if the law enforcement officer:

- 1) Fails to undergo a mental health evaluation for post-traumatic stress disorder when required; or
- 2) Is experiencing symptoms of PTSD as determined by a licensed mental health professional and whom the licensed physician has not yet determined is able to resume full duties.

Section 7204 provides that the Municipal Police Officers' Education and Training Commission (MPOETC) shall establish procedures to guarantee the following:

- 1) Confidentiality of requests or recommendations for mental health evaluations;
- 2) Confidentiality of mental health records produced by operation of Chapter 72; and
- 3) Any other procedure deemed necessary by the MPOETC for implementation of Chapter 72.

Title 53

House Bill 1910 provides the MPOETC with the power and duty to provide training for police officers on interacting with individuals of diverse racial, ethnic and economic backgrounds.

The bill also requires the MPOETC's annual training to include instruction on the use of force, including deadly force, de-escalation and harm reduction techniques and shall include on a biennial basis instruction in community and cultural awareness, implicit bias, procedural justice and reconciliation techniques.

Additionally, the MPOETC shall be required to train police officers in recognizing and reporting suspected child abuse.

This act shall take effect as follows:

- Amendment to Title 42 shall take effect in 60 days;
- Amendments to Title 53 shall take effect in 60 days;
- Section 7204 of Title 44 shall take effect in 60 days; and
- The remainder of amendments to Title 44 shall take effect in one year.

FISCAL IMPACT:

According to the Administrative Office of Pennsylvania Courts (AOPC), the Pennsylvania State Police and the Municipal Police Officers' Education and Training Commission (MPOETC), enactment of this legislation will have no fiscal impact on Commonwealth funds.