

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 459

**PRINTER NO.** 1817

**AMOUNT**

See Fiscal Impact

**FUND**

General Fund  
Motor License Fund

**DATE INTRODUCED**

March 21, 2019

**PRIME SPONSOR**

Senator Costa

**DESCRIPTION**

Senate Bill 459 amends Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes further providing for recordkeeping and reporting for law enforcement agencies.

This legislation inserts a new Subchapter B entitled "Use of force recordkeeping and reporting for law enforcement agencies." This new subchapter does all of the following:

- Provides that it is the policy of the Commonwealth to provide law enforcement agencies with recordkeeping and reporting requirements regarding the use of force and deadly force by law enforcement officers;
- Provides certain definitions;
- Requires each law enforcement agency (agency) in the Commonwealth to maintain records of all incidents involving a use of force by a law enforcement officer;
- Requires the Commissioner of the Pennsylvania State Police (commissioner), in consultation with the Pennsylvania Chiefs of Police Association and the Fraternal Order of Police to develop a reporting mechanism each agency must comply with and submit records of all use of force incidents;
- Requires that the commissioner, with the approval of the Municipal Police Officers' Education and Training Commission (MPOETC), shall determine the most efficient and least burdensome procedure for which the reporting requirement shall be implemented, administered and maintained;
- Requires that each submitted record shall include the following information:
  - 1) Reason for the use of force;
  - 2) Injuries, if any, and to what individuals;
  - 3) Property damage, if any;
  - 4) Deaths, if any; and
  - 5) Suspect information, including statute violations and apprehension status of the suspect.

# SENATE APPROPRIATIONS COMMITTEE

## FISCAL NOTE

- Requires the Pennsylvania State Police to compile data sent by individual agencies on an annual basis and submit an Annual Report to the Office of Attorney General, the Judiciary Committee of the Senate, the Judiciary Committee of the House of Representatives and the Law and Justice Committee of the Senate;
- Requires the Annual Report to contain the following information:
  - 1) Statewide aggregations of information collected under section 2133(c) (relating to recordkeeping);
  - 2) The total number and percentage of incidents involving the use of force;
  - 3) The total number and percentage of incidents involving the use of force resulting in bodily injury;
  - 4) The total number and percentage of incidents involving the use of force resulting in serious bodily injury; and
  - 5) The total number and percentage of incidents involving the use of force resulting in death.
- Requires the first Annual Report submission from the Pennsylvania State Police after the first full calendar year of data collection.

This act shall take effect in 60 days.

### **FISCAL IMPACT:**

Enactment of this legislation may result in local law enforcement agencies throughout the Commonwealth to incur minimal costs in maintaining records of all incidents involving a use of force by a law enforcement officer.

According to MPOETC and the Pennsylvania State Police, enactment of this legislation will have no fiscal impact on Commonwealth funds.