

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 836

PRINTER NO. 925

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

June 20, 2023

PRIME SPONSOR

Senator Farry

DESCRIPTION

Senate Bill 836 amends Title 53 (Municipalities Generally) to provide the Municipal Police Officers' Education and Training Commission (commission) the statutory authority needed to conduct fingerprint-based criminal history checks on municipal police officer applicants.

Section 2162 (relating to definitions) is amended as follows:

- Defines "approval" as the assignment of an approval number to an instructor or school director who meets the requirements established by the commission;
- Provides that a police officer's certification is for a period of not more than two years;
- Defines "instructor" as an individual approved by the commission to teach in a basic police training course or an in-service police training course; and
- Defines "school director" as an individual who is approved by the commission and responsible for the daily operations of a training school or academy which provides a basic police training course within the functional organization of a police department or departments or any educational facility in this Commonwealth.

Section 2164 (relating to powers and duties of commission) is amended by making technical changes to include school directors under the powers and duties of the commission and to require an individual applying to the commission to attend basic police training at a school for certification as a police officer or for approval as an instructor or school director to submit fingerprints and other identifying information to the Pennsylvania State Police (PSP). The PSP shall submit the fingerprints to the Federal Bureau of Investigation (FBI) for the purpose of a national criminal record check, and the PSP shall check the fingerprints against the central repository for the purposes of obtaining a criminal history record check. The following shall apply:

- 1) Any criminal history information obtained under this section by the commission may be considered only to the extent to which it relates to the person's suitability to attend basic police training or to be certified as a police officer or approved to be an instructor or school director; and

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- 2) The provisions of 18 Pa.C.S. § 9121(b) (relating to general regulations) shall not apply to a request for a criminal history record check submitted under this section.

This act shall take effect in 60 days.

FISCAL IMPACT:

Enactment of this legislation will have no fiscal impact on Commonwealth funds. This legislation provides the commission with the statutory authority to conduct fingerprint-based criminal history checks. The commission is currently performing these duties under a temporary waiver from the FBI.