

**PENNSYLVANIA CRIME COMMISSION ACT**  
**Act of Oct. 4, 1978, P.L. 876, No. 169**  
AN ACT

**CL. 44**

Establishing the Pennsylvania Crime Commission and providing  
for its powers and duties.

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The General Assembly of the Commonwealth of Pennsylvania  
hereby enacts as follows:

- Section 1. Short title. (1 deleted by amendment Dec. 23, 1993,  
P.L.567, No.84)
- Section 2. Definitions. (2 deleted by amendment Dec. 23, 1993,  
P.L.567, No.84)
- Section 3. Creation of commission; membership; compensation;  
                  vacancies; removal.

(a) The Pennsylvania Crime Commission shall consist of six  
members to be known as commissioners.

(b) One member of the commission shall be appointed by the  
Governor, one by the President pro tempore of the Senate, one  
by the Speaker of the House of Representatives, one by the  
Minority Leader of the Senate and one by the Minority Leader  
of the House of Representatives. The chairperson of the  
commission shall be the Commissioner of the Pennsylvania State  
Police.

(c) Of the original members, the member appointed by the  
Governor shall serve for an initial term of one year, the two  
members appointed by the Speaker of the House of Representatives  
and the Minority Leader of the House of Representatives  
respectively shall serve for an initial term of two years and  
the two members appointed by the President pro tempore of the  
Senate and the Minority Leader of the Senate respectively shall  
serve for an initial term of three years. Thereafter each  
appointment provided for by this act shall be for a term of  
three years and such appointments shall be made in the same  
manner as the original appointments. Not more than three  
commissioners shall be members of the same political party.

(d) Commissioners shall receive \$50 a day compensation for  
their services. Expenses incurred by the executive director or  
other employees shall be allowed and paid on the presentation  
of itemized vouchers therefor and approved by the commission.

This subsection shall not apply to the chairperson of the commission.

(e) All vacancies shall be filled, for the remainder of the unexpired term in the same manner as original appointments. Any commissioner, upon the expiration of his term, shall continue to hold office until his successor has been duly appointed and qualified according to law, but in no event longer than six months after the expiration of the commissioner's appointed term.

(f) Except as authorized pursuant to this subsection, no commissioner may be removed from office during his term. The Governor may, upon a clear and convincing evidence of misfeasance or malfeasance in office or neglect of duty, remove a commissioner prior to the expiration of his term. The Governor shall provide the commissioner so removed with a detailed written statement of the reasons for his removal. A commissioner so removed may petition the Court for reinstatement. The court shall hold an expedited hearing and render a decision within 30 days after said hearing or as soon thereafter as may be practicable. Any decision of the Court adverse to a commissioner so removed shall create a vacancy which shall be filled pursuant to subsection (e). This subsection shall not apply to the chairperson of the commission.

(g) This section shall expire June 30, 1994.

(3 amended Dec. 23, 1993, P.L.567, No.84)

#### Section 4. Powers and duties.

(a) The Pennsylvania Crime Commission shall have the power and its duty shall be:

(1) To inquire into organized crime and activities of persons engaged in or associated with organized crime.

(2) To inquire into public corruption and the activities of persons engaged in and associated with public corruption.

(3) To make a detailed written report of every completed investigation which may include recommendation for legislative or administrative action.

(4) To account to the Governor, the Auditor General and the General Assembly at the end of each fiscal year for all moneys received and disbursed.

(5) ((5) deleted by amendment Dec. 23, 1993, P.L.567, No.84)

(6) Through its chairman, to call upon the department heads of State Government and State agencies for such information and assistance as is needed to carry out the functions of the commission.

(7) To require the attendance and testimony of witnesses and the production of documentary evidence relative to any investigation which the commission may conduct in accordance with the powers given it. Such subpoenas shall be signed by the chairman, the executive director and two commissioners and shall be served by any person authorized to serve subpoenas under the laws of the Commonwealth.

(8) To appoint and fix the compensation of an executive director who shall devote his full time to the general supervision of all investigations and proceedings by the commission.

(9) To appoint and fix the compensation of such other employees as the commission may from time to time find necessary for the proper performance of the functions of the commission. Investigative employees of the commission shall be deemed law enforcement officers.

(10.1) To promulgate and publish rules and regulations, including those regulations controlling or defining the:

- (i) Calling of meetings.
- (ii) Investigative responsibilities of commission members.
- (iii) Written procedures to be utilized by the commission's investigative management staff in planning and supervising investigations and inquiries.
- (iv) Dissemination of materials, including dissemination to the Governor and members or committees of the General Assembly.
- (v) Appropriate use of commission property, including all vehicles.
- (vi) Maintenance of confidentiality of information.
- (vii) All other procedures and acts as are necessary for the proper functioning of the commission.

(11) To perform such other acts as are necessary for the proper functioning of the commission.

(b) This section shall expire June 30, 1994.  
(4 amended Dec. 23, 1993, P.L.567, No.84)

Section 5. Limitations on activities by commission members and employees. (5 deleted by amendment Dec. 23, 1993, P.L.567, No.84)

Section 5.1. Weapons. (5.1 deleted by amendment Dec. 23, 1993, P.L.567, No.84)

Section 6. Immunity of witnesses. (6 deleted by amendment Dec. 23, 1993, P.L.567, No.84)

Section 7. Enforcement of subpoenas. (7 deleted by amendment Dec. 23, 1993, P.L.567, No.84)

Section 8. Disclosure of executive session testimony and investigative records. (8 deleted by amendment Dec. 23, 1993, P.L.567, No.84)

Section 9. Privileged statements and reports.

- (a) Any statement or disclosure of information made by a commissioner or an employee of the commission during the course of any hearing before the General Assembly shall be absolutely privileged and such privilege shall be an absolute defense to any action for invasion of privacy, defamation or other civil or criminal action.
- (b) This section shall expire June 30, 1994.  
(9 amended Dec. 23, 1993, P.L.567, No.84)

Section 10. Disclosure of financial interests. (10 deleted by amendment Dec. 23, 1993, P.L.567, No.84)

Section 11. Termination. (11 repealed Apr. 30, 1986, P.L.132, No.40)

Section 12. Repeals. (12 deleted by amendment Dec. 23, 1993, P.L.567, No.84)

Section 13. Effective date. (13 deleted by amendment Dec. 23, 1993, P.L.567, No.84)

## APPENDIX

### ----- Supplementary Provisions of Amendatory Statutes -----

**1986, APRIL 30, P.L.132, NO.40**

Section 6. (a) The Pennsylvania Crime Commission is hereby reestablished in compliance with the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act.

(b) Each rule and regulation of the commission in effect on the effective date of this act shall remain in effect after such date until amended by the commission, provided that the commission shall immediately initiate the repeal or amendment of any rule or regulation which is inconsistent with the provisions of this act.

**Compiler's Note:** Act 40 added or amended sections 3, 4, 5.1 and 7 and repealed section 11 of Act 169.

**1993, DECEMBER 23, P.L.567, NO.84**

Section 9. The Pennsylvania Crime Commission shall not begin any new investigation. It shall also prepare to transfer all ongoing investigations to the Pennsylvania State Police and Federal law enforcement officials by June 30, 1994.

The Commissioner of the Pennsylvania State Police, or a designee, shall review the records of the Pennsylvania Crime Commission and determine which records should remain with the Pennsylvania State Police and which should be transferred to Federal law enforcement authorities.

**Compiler's Note:** Act 84 amended or deleted by amendment sections 1, 2, 3, 4, 5, 5.1, 6, 7, 8, 9, 10, 12 and 13 of Act 169.

Section 10. The Commissioner of the Pennsylvania State Police shall determine which employees of the Pennsylvania Crime Commission shall be transferred to the Bureau of Criminal Investigation of the Pennsylvania State Police by June 30, 1994.

Section 11. By November 30, 1994, the Commissioner of the Pennsylvania State Police shall make a report to the General Assembly on the disposition of employees, property, cases and records of the Pennsylvania Crime Commission.