
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 942

Session of
1981

INTRODUCED BY LOEPER, HESS AND FISHER, JUNE 24, 1981

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, FEBRUARY 24, 1982

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 limited Statewide police powers for municipal police officers
4 and retaining certain immunities and benefits.

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

7 Section 1. Section 8901 of Title 42, act of November 25,
8 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated
9 Statutes, is repealed.

10 Section 2. Title 42 is amended by adding a subchapter to
11 read:

12 SUBCHAPTER D

13 MUNICIPAL POLICE JURISDICTION

14 Sec.

15 8951. Definitions.

16 8952. Primary municipal police jurisdiction.

17 8953. Statewide municipal police jurisdiction.

1 8954. Noncompliance with mandatory certification requirements.

2 § 8951. Definitions.

3 The following words and phrases when used in this subchapter
4 shall have, unless the context clearly indicates otherwise, the
5 meanings given to them in this section:

6 "Chief law enforcement officer." The head of a duly
7 constituted municipal law enforcement agency which regularly
8 provides primary police services to a political subdivision or,
9 in the absence of any such municipal law enforcement agency, the
10 commanding officer of the Pennsylvania State Police installation
11 which regularly provides primary police services to the
12 political subdivision.

13 "Municipal police officer." Any natural person who is
14 properly employed by a municipality, including a home rule
15 municipality, as a regular full-time or part-time police
16 officer.

17 "Primary jurisdiction." The geographical area within the
18 territorial limits of a municipality or any lawful combination
19 of municipalities which employs a municipal police officer.

20 "Training law." The act of June 18, 1974 (P.L.359, No.120),
21 referred to as the Municipal Police Education and Training Law.

22 § 8952. Primary municipal police jurisdiction.

23 Any duly employed municipal police officer shall have the
24 power and authority to enforce the laws of this Commonwealth or
25 otherwise perform the functions of that office anywhere within
26 his primary jurisdiction as to:

27 (1) Any offense which the officer views or otherwise has
28 probable cause to believe was committed within said
29 jurisdiction.

30 (2) Any other event that occurs within his primary

1 jurisdiction and which reasonably requires action on the part
2 of the police in order to preserve, protect or defend persons
3 or property or to otherwise maintain the peace and dignity of
4 this Commonwealth.

5 § 8953. Statewide municipal police jurisdiction.

6 (a) General rule.--Any duly employed municipal police
7 officer who is within this Commonwealth, but beyond the
8 territorial limits of his primary jurisdiction, shall have the
9 power and authority to enforce the laws of this Commonwealth or
10 otherwise perform the functions of that office as if enforcing
11 those laws or performing those functions within the territorial
12 limits of his primary jurisdiction in the following cases:

13 (1) Where the officer is acting pursuant to the
14 requirements of an arrest warrant or search warrant where
15 such ~~search~~ warrant is limited to persons or property located <—
16 within the ~~jurisdiction~~ JUDICIAL DISTRICT of the common pleas <—
17 court within which the ~~municipality~~ PRIMARY JURISDICTION OF <—
18 THE OFFICER is situated.

19 (2) Where the officer is in pursuit of any person for
20 any offense which was committed, or which he has probable
21 cause to believe was committed, within his primary
22 jurisdiction and for which offense the officer continues in
23 pursuit of the person after the commission of the offense.

24 (3) Where the officer has been requested to aid or
25 assist any local, State or Federal law enforcement officer or
26 otherwise has probable cause to believe that the other
27 officer is in need of aid or assistance.

28 (4) Where the officer has obtained the prior consent of
29 the chief law enforcement officer, or a person authorized by
30 him to give consent, of the organized law enforcement agency

1 which provides primary police services to a political
2 subdivision which is beyond that officer's primary
3 jurisdiction, to enter the other jurisdiction for the purpose
4 of conducting official duties which arise from official
5 matters within his primary jurisdiction.

6 (5) Where the officer is on official business and views
7 an offense, or has probable cause to believe that an offense
8 has been committed, and makes a reasonable effort to identify
9 himself as a police officer and which offense is a felony,
10 misdemeanor, breach of the peace or other act which presents
11 an immediate clear and present danger to persons or property.

12 ~~(6) Where the officer views an offense, or has probable~~ ←
13 ~~cause to believe an offense has been committed, which offense~~
14 ~~is a felony or otherwise constitutes an immediate, clear and~~
15 ~~present danger to persons or property.~~

16 (b) Limitation.--Nothing contained in subsection (a) shall
17 be deemed to extend or otherwise enlarge a municipal police
18 officer's power and authority to arrest any person for a summary
19 or misdemeanor offense which such officer does not view, unless
20 specifically authorized by law.

21 (c) Relinquishing authority.--Whenever a municipal police
22 officer exercises any power or authority over any person or
23 event pursuant to the provisions of subsection (a)(3), (4), (5)
24 or (6) the officer shall relinquish authority and control over
25 any such person or event upon the request of the chief law
26 enforcement officer, or a person authorized by him to make the
27 request, of the organized law enforcement agency which regularly
28 provides primary police services in the municipality.

29 (d) Immunities and benefits preserved.--Any municipal police
30 officer who exercises any power or authority granted under this

1 section, and the employing municipality of the police officer,
2 shall have the same immunities from liability as would be
3 applicable if the actions were performed within the territorial
4 boundaries of the officer's primary jurisdiction and the police
5 officer shall be entitled to the same benefits of employment as
6 the officer would possess if acting solely within his primary
7 jurisdiction. Nothing herein shall be construed to restrict the
8 authority of any municipality to limit the exercise of any power
9 or authority conferred on its police by this section.

10 § 8954. Noncompliance with mandatory certification requirements.

11 Any person employed as a municipal police officer who is
12 subject to the mandatory certification requirements of the
13 training law and fails to obtain the required certification from
14 the Commissioner of the Pennsylvania State Police within the
15 time limits provided by law shall cease to be empowered or
16 authorized to function as a municipal police officer for any
17 purpose whatsoever.

18 Section 3. All acts or parts of acts are repealed insofar as
19 they are inconsistent with this act.

20 Section 4. This act shall take effect in 60 days.