
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 403

Session of
1983

INTRODUCED BY GREENLEAF, FEBRUARY 24, 1983

REFERRED TO JUDICIARY, FEBRUARY 24, 1983

AN ACT

1 Providing for the education and training of deputy sheriffs;
2 creating the Deputy Sheriffs' Education and Training
3 Commission; providing for the powers and duties of the
4 commission and the Attorney General; establishing the Deputy
5 Sheriffs' Education and Training Fund; providing for a
6 surcharge on sheriffs' fees; and providing penalties.

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

9 Section 1. Short title.

10 This act shall be known and may be cited as the Deputy
11 Sheriffs' Education and Training Act.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Commission." The Deputy Sheriffs' Education and Training
17 Commission.

18 "Fund." The Deputy Sheriffs' Education and Training Fund.

19 Section 3. Commission.

1 (a) Establishment.--There is hereby established the Deputy
2 Sheriffs' Education and Training Commission.

3 (b) Composition.--The commission shall be composed of nine
4 members as follows:

5 (1) The Attorney General.

6 (2) Two judges of the courts of common pleas from
7 different counties.

8 (3) Two sheriffs from different counties with a minimum
9 of six years experience each.

10 (4) Three individuals from different counties with a
11 minimum of 12 years experience each as a deputy sheriff, to
12 be appointed by the Governor from a list of candidates
13 submitted by the Deputy Sheriffs' Association of
14 Pennsylvania.

15 (5) One educator qualified in the field of curriculum
16 design.

17 (c) Appointments and terms.--All members of the commission,
18 other than the Attorney General, who shall be a permanent
19 member, shall be appointed by the Governor for a period of three
20 years except that upon the effective date of this act the
21 Governor shall appoint one judge for a period of two years, one
22 sheriff for a period of two years and one deputy sheriff for a
23 period of one year.

24 (d) Vacancies.--A member appointed to fill a vacancy created
25 by any reason other than expiration of a term shall be appointed
26 for the unexpired term of the member whom he is to succeed in
27 the same manner as the original appointment.

28 (e) Expenses.--The members of the commission shall be
29 compensated at the rate of \$100 a day up to a maximum of \$1,200
30 in any one year and, in addition thereto, shall be reimbursed

1 for the necessary and actual expenses incurred in attending the
2 meetings of the commission and in the performance of their
3 duties under this act.

4 (f) Removal.--Members of the commission, other than the
5 Attorney General, may be removed by the Governor for good cause
6 upon written notice from the Governor specifically setting forth
7 the cause for removal.

8 (g) Chairman.--The members of the commission shall elect a
9 chairman from among the members to serve for a period of one
10 year. A chairman may be elected to serve successive terms. The
11 Governor shall designate the first chairman for organizational
12 purposes only.

13 (h) Meetings and quorum.--The chairman shall summon the
14 members of the commission to the first meeting within 125 days
15 of the effective date of this act. The commission shall meet at
16 least four times each year. Special meetings may be called by
17 the chairman of the commission or upon written request of three
18 members. A quorum shall consist of five members.

19 Section 4. Powers and duties of the commission.

20 The commission shall:

21 (1) Establish, implement and administer the Deputy
22 Sheriffs' Education and Training Program according to the
23 minimum requirements set forth in this act.

24 (2) Approve or revoke the approval of any school which
25 may be utilized to comply with the educational and training
26 requirements of this act.

27 (3) Establish the minimum qualifications for instructors
28 and certify instructors.

29 (4) Consult and cooperate with universities, colleges,
30 law schools, community colleges and institutes for the

development of specialized courses for deputy sheriffs.

(5) Promote the most efficient and economical program for deputy sheriff training by utilizing existing facilities, programs and qualified State and local personnel.

(6) Certify deputy sheriffs who have satisfactorily completed the basic education and training requirements of this act and issue appropriate certificates to them.

(7) Make rules and regulations and perform other duties as may be reasonably necessary or appropriate to administer the education and training program for deputy sheriffs.

(8) Enter into contracts and employ an executive director and other personnel as may be necessary or appropriate for the administration of the program.

(9) Make an annual report to the Governor and to the General Assembly concerning:

(i) The administration of the Deputy Sheriffs' Education and Training Program.

(ii) The activities of the commission.

(iii) The costs of the program.

Section 5. Program content.

The Deputy Sheriffs' Education and Training Program shall include appropriate concentration in the following areas for a total of not less than 160 hours:

(1) History of the office of sheriff and survey of the court systems and State and local governments of this Commonwealth.

(2) Weapons training.

(3) Civil process and civil procedure.

(4) Transportation and security of prisoners and courtroom security.

1 (5) Law enforcement duties, criminal investigation and
2 criminal law and procedure.

3 (6) Other subjects the commission may deem necessary and
4 appropriate for the education and training of deputy
5 sheriffs.

6 Section 6. Continuing education.

7 The commission shall establish a continuing education program
8 for all deputy sheriffs, which shall include not less than 16
9 nor more than 20 hours of continuing education every two years,
10 concerning subjects the commission may deem necessary and
11 appropriate for the continued education and training of deputy
12 sheriffs.

13 Section 7. Training requirement.

14 (a) Application of act.--Every sheriff of this Commonwealth
15 shall assure that each full-time or part-time deputy employed by
16 him who has less than five years of experience on the effective
17 date of this act receives the training provided for in sections
18 5 and 6.

19 (b) Prior education, training or experience.--The commission
20 shall have the authority and the discretion to reduce the hours
21 of education and training required in section 5 for those deputy
22 sheriffs required to receive education and training who, because
23 of prior education, training or experience, have acquired
24 knowledge or skill equivalent to that provided by the program.

25 (c) Certification requirement for continued compensation.--
26 Any person hired as a full-time or part-time deputy sheriff who
27 has less than five years of experience on the effective date of
28 this act shall, at the end of two years from the effective date
29 of this act, be ineligible to receive any salary, compensation
30 or other consideration or thing of value for the performance of

1 his duties as a deputy sheriff unless he has met all of the
2 requirements established by the commission and has been duly
3 certified as having met those requirements by the commission,
4 unless the deputy sheriff is granted additional time to complete
5 his training by the commission.

6 (d) Continuing education.--Any full-time or part-time deputy
7 sheriff who fails to meet and fails to be certified as having
8 met the requirements for continuing education established by the
9 commission shall be ineligible to receive any salary,
10 compensation or other consideration or thing of value for the
11 performance of his duties as a deputy sheriff.

12 (e) Penalty.--Any official of any county who orders,
13 authorizes or pays a salary or compensation or other
14 consideration or thing of value to any person in violation of
15 this section commits a summary offense and shall, upon
16 conviction, be sentenced to pay a fine of \$5,000 or to
17 imprisonment for a term not to exceed 30 days.

18 Section 8. Deputy Sheriffs' Education and Training Fund.

19 (a) Establishment.--There is hereby established a separate
20 account in the State Treasury, which shall be known as the
21 Deputy Sheriffs' Education and Training Fund, for the purpose of
22 financing training program expenses, the costs of administering
23 the program, reimbursements to counties and all other costs
24 associated with the activities of the commission and the
25 implementation of this act.

26 (b) Surcharge.--There is hereby assessed a surcharge of \$2
27 on each fee collected by the sheriff of every county upon
28 acceptance for each service required for any complaint, summons,
29 writ or other legal paper required to be served or posted by the
30 sheriff.

1 (c) Disposition of moneys collected.--The moneys collected
2 under subsection (b) shall be forwarded semiannually to the
3 State Treasurer for deposit into the fund. All moneys received
4 by the treasurer in excess of the amount necessary to cover the
5 costs and expenses of the training program shall be transferred
6 to the General Fund of the Commonwealth on an annual basis with
7 such reserve maintained as will be adequate to assure the
8 continued operation of the Deputy Sheriffs' Education and
9 Training Program.

10 (d) Disbursements.--Disbursements from the fund shall be
11 made by the commission.

12 (e) Audit.--The Auditor General shall conduct an audit of
13 the fund as he may deem necessary or advisable from time to time
14 but no less often than once every three years.

15 Section 9. Reimbursement to counties.

16 The commission shall provide for reimbursement to each county
17 of 100% of the allowable tuition and the ordinary and necessary
18 living and travel expenses incurred by their deputy sheriffs
19 while attending certified deputy sheriffs' basic training or
20 continuing education schools if the county adheres to the
21 training standards set forth in this act and established by the
22 commission. The regular salary of deputy sheriffs while
23 attending approved schools shall be paid by the employing
24 county. Fifty percent of the regular salaries of deputy sheriffs
25 while attending approved schools shall be reimbursed to the
26 employing county.

27 Section 10. Appropriation.

28 The sum of \$100,000, or as much thereof as may be necessary,
29 is hereby appropriated for the fiscal year in effect on the
30 effective date of this act to cover the costs incurred under

1 this act pending the establishment of the fund provided for in
2 section 8.
3 Section 11. Effective date.
4 This act shall take effect in six months.