

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 619 Session of 1989

INTRODUCED BY PITTS, NAILOR, VROON, DEMPSEY, D. W. SNYDER, REBER, JACKSON, FARGO, SCHEETZ, FLEAGLE, LEVDANSKY, HESS, WOGAN, FOX, HECKLER, CARLSON, TRELLO, MICOZZIE, BELARDI, ROBBINS, VEON, CIVERA, PHILLIPS, ITKIN, HALUSKA, MARKOSEK, NOYE, CAWLEY, JOHNSON, J. L. WRIGHT, GIGLIOTTI, DISTLER, MERRY, STUBAN, GRUPPO, OLASZ, CLYMER, BUNT, SERAFINI, FLICK, MORRIS, E. Z. TAYLOR, MELIO, McVERRY, LAUGHLIN, SEMMEL, STAIRS, BARLEY, GEIST, DeLUCA AND SAURMAN, MARCH 6, 1989

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 6, 1989

AN ACT

1 Amending the act of February 1, 1966 (1965 P.L.1656, No.581),
 2 entitled "An act concerning boroughs, and revising, amending
 3 and consolidating the law relating to boroughs," authorizing
 4 boroughs to enter into contracts with the Commonwealth for
 5 police protection.

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

8 Section 1. Sections 1122 and 1202(35) of the act of February
 9 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, are
 10 amended to read:

11 Section 1122. Police Serving Under Cooperative Agreement or
 12 Contract.--Whenever any borough shall have entered into a
 13 cooperative agreement or contract with the Commonwealth or any
 14 near or adjacent city, borough, or township for the furnishing
 15 or receiving of police protection, as authorized by clause (35)
 16 of section 1202 of this act, such policemen, individually, shall

1 be appointed and accepted as policemen of the borough receiving
2 such police service by resolution of the council of the said
3 borough. Policemen so appointed shall, however, in so far as
4 civil service and pensions are concerned, be deemed to be
5 appointees and employes only of the Commonwealth or of the
6 municipality or township furnishing their service and making the
7 original appointment thereof.

8 Section 1202. Specific Powers.--The powers of the borough
9 shall be vested in the corporate authorities. Among the specific
10 powers of the borough shall be the following, and in the
11 exercise of any of such powers involving the enactment of any
12 ordinance or the making of any regulation, restriction or
13 prohibition, the borough may provide for the enforcement thereof
14 and may prescribe penalties for the violation thereof or for the
15 failure to conform thereto:

16 * * *

17 (35) Joint contracts for police and fire protection. To
18 enter into contracts with the proper authorities of the
19 Commonwealth or of near or adjacent cities, boroughs, or
20 townships, either for mutual aid or assistance in police and
21 fire protection, or for the furnishing to or, receiving from,
22 the Commonwealth such cities, boroughs, or townships, aid and
23 assistance in police and fire protection, and to make
24 appropriations therefor: Provided, That in connection with such
25 contracts, it shall not be necessary to advertise for bids or
26 receive bonds as required for other contracts under existing
27 law. When any such contract has been entered into the police,
28 firemen or fire police of the Commonwealth or of the employing
29 city, borough or township shall have all the powers and
30 authority conferred by law on city, borough or township police,

1 firemen, or fire police in the territory of the city, borough or
2 township which has contracted to secure such service.

3 * * *

4 Section 2. This act shall take effect in 60 days.