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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1860

Session of  
2003

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INTRODUCED BY PALLONE, PETRARCA, TANGRETTI, CASORIO, CREIGHTON,  
RUFFING, SHANER, SOLOBAY, YOUNGBLOOD AND THOMAS,  
JULY 15, 2003

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SENATOR CONTI, LAW AND JUSTICE, IN SENATE, AS AMENDED,  
JUNE 21, 2004

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AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled,  
2 as amended, "An act relating to counties of the first, third,  
3 fourth, fifth, sixth, seventh and eighth classes; amending,  
4 revising, consolidating and changing the laws relating  
5 thereto; relating to imposition of excise taxes by counties,  
6 including authorizing imposition of an excise tax on the  
7 rental of motor vehicles by counties of the first class; and  
8 providing for regional renaissance initiatives," further  
9 providing for police duties.

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

12 Section 1. Sections 2511 and 2512 of the act of August 9,  
13 1955 (P.L.323, No.130), known as The County Code, are amended to  
14 read:

15 Section 2511. Employees; Police.--(a) For the purpose of  
16 performing all necessary duties relating to the establishing,  
17 making, enlarging, extending and maintaining public parks,  
18 buildings and other county-owned properties and for enforcing  
19 the rules and regulations ordained or resolved by the county  
20 commissioners or by any body or board of control where no

1 penalty or fine is involved, the county commissioners of the  
2 county are hereby authorized to employ or appoint and equip  
3 proper persons to do all necessary and proper work connected  
4 therewith, including police or guard duty.

5 (b) The board of commissioners of any county of the third  
6 class THAT IS CONTIGUOUS TO A COUNTY OF THE SECOND CLASS may, by <—  
7 ordinance, create or disband a county park police force within  
8 the county. When such a county park police force is created in  
9 accordance herewith, the county commissioners shall have power  
10 to employ the number of officers as may be fixed by the salary  
11 board of the county. The compensation of the county park police  
12 officers shall be paid by the county.

13 Section 2512. Duty of Police.--(a) It shall be the duty of  
14 the police, county park police or guards appointed to duty in  
15 any recreation places, buildings and other county-owned  
16 properties, without warrant, forthwith to arrest any offender  
17 against the rules and regulations, ordained or resolved by the  
18 county commissioners, that they may detect in the commission of  
19 such offense, and to take the person so arrested forthwith  
20 before a magistrate, alderman or justice of the peace having  
21 competent jurisdiction.

22 (b) In the ordinance creating a county park police force,  
23 the county commissioners shall designate a primary  
24 jurisdictional area upon which the county park police officers  
25 shall have jurisdiction, and which shall include only property  
26 owned, leased or controlled by the county, by a county municipal  
27 authority, county redevelopment authority, county industrial  
28 development authority or agency, or county airport authority, or  
29 by a community college of which the county is a local sponsor,  
30 whether such property is within or outside the territorial

limits of the county. A county road, street or highway shall not be designated or considered as a primary jurisdictional area unless it is located within the boundaries of a geographical area otherwise designated by ordinance as a primary jurisdictional area pursuant to this section.

(c) County park police shall have the power and their duty shall be:

(1) to enforce good order and protect the grounds and buildings within a primary jurisdictional area;

(2) to exclude all disorderly persons from the grounds and buildings within a primary jurisdictional area;

(3) to exercise the same powers as are now or may hereafter be exercised under authority of law or ordinance by the police of the municipalities wherein the primary jurisdictional area is located, including, but not limited to, those powers conferred pursuant to 42 Pa.C.S. Ch. 89 Subch. D (relating to municipal police jurisdiction);

(4) to prevent crime, investigate criminal acts, apprehend, arrest and charge criminal offenders and issue summary citations for acts committed on the grounds and in the buildings of the primary jurisdictional area and carry the offender before the proper authority and prefer charges against the offender under the laws of this Commonwealth. Except when acting pursuant to 42 Pa.C.S. Ch. 89 Subch. D, county park police shall exercise these powers and perform these duties only on the grounds of the primary jurisdictional area;

(5) to order off the grounds and out of the buildings within the primary jurisdictional area all vagrants, loafers, trespassers and persons under the influence of liquor and, if necessary, remove them by force and, in case of resistance,

1 carry such offenders before the proper authority; and  
2 (6) to arrest any person who damages, mutilates or destroys  
3 the trees, plants, shrubbery, turf, grass plots, benches,  
4 buildings, and structures or commits any other offense on the  
5 grounds and in the buildings within the primary jurisdictional  
6 area, and carry the offender before the proper authority and  
7 prefer charges against the offender under the laws of this  
8 Commonwealth.

9 (d) The county commissioners shall designate, from the  
10 county park police officers, the chief and such other ranks or  
11 classifications of officers as desired by the county  
12 commissioners.

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