

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 145 Session of
2003

INTRODUCED BY DENT, PICCOLA, MOWERY, RAFFERTY, TARTAGLIONE,
COSTA, LAVALLE, KITCHEN, BOSCOLA, WOZNIAK AND WAUGH,
FEBRUARY 3, 2003

REFERRED TO LAW AND JUSTICE, FEBRUARY 3, 2003

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for municipal police
3 education and training definitions, training, certification
4 and reimbursement.

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

7 Section 1. The definitions of "police department" and
8 "police officer" in section 2162 of Title 53 of the Pennsylvania
9 Consolidated Statutes are amended to read:

10 § 2162. Definitions.

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

14 * * *

15 "Police department." Any of the following:

16 (1) A public agency of a political subdivision having
17 general police powers and charged with making arrests in
18 connection with the enforcement of the criminal or traffic

1 laws. This paragraph includes the sheriff's office in a
2 county of the second class.

3 (2) A campus police or university police department, as
4 used in section 2416 of the act of April 9, 1929 (P.L.177,
5 No.175), known as The Administrative Code of 1929, certified
6 by the Office of Attorney General as a criminal justice
7 agency under the definition of "criminal justice agency" in
8 18 Pa.C.S. § 9102 (relating to definitions). This paragraph
9 does not include a campus police or university police
10 department of the State System of Higher Education and its
11 member institutions.

12 (3) A railroad or street railway police department
13 formed with officers commissioned under 22 Pa.C.S. Ch. 33
14 (relating to railroad and street railway police) or any prior
15 statute providing for such commissioning.

16 (4) The Capitol Police.

17 (5) The Harrisburg International Airport Police.

18 (6) An airport authority police department.

19 "Police officer." Any of the following:

20 (1) A full-time or part-time employee [of a], assigned
21 to criminal or traffic law enforcement duties, of any of the
22 following:

23 (i) A police department of a county, city, borough,
24 town[,] or township[,].

25 (ii) Any railroad or street railway police[,].

26 (iii) Any campus [police] or university police [or
27 county police] department [assigned to criminal or
28 traffic law enforcement duties; any].

29 (iv) The Capitol Police.

30 (v) The Harrisburg International Airport Police.

1 (vi) An airport authority police department.

2 (2) A deputy sheriff of a county of the second class[;
3 and, for].

4 (3) For the purpose of training only, a security
5 [officers] officer of a first class city housing authority.

6 The term excludes persons employed to check parking meters or to
7 perform only administrative duties and auxiliary and fire
8 police.

9 * * *

10 Section 2. Sections 2167(b) and (c), 2168(b) and 2170(e) of
11 Title 53 are amended to read:

12 § 2167. Police training.

13 * * *

14 (b) Ineligibility for compensation.--Any person hired as a
15 police officer [by any municipality or group of municipalities
16 acting in concert or by any college or university] shall be
17 ineligible to receive any salary, compensation or other
18 consideration for the performance of duties as a police officer
19 unless the person has met all of the requirements as established
20 by the commission and has been duly certified as having met
21 those requirements by the commission.

22 (c) Penalty.--Any [official of any municipality or of any
23 college or university] person who orders, authorizes or pays as
24 salary to a person in violation of the provisions of this
25 subchapter commits a summary offense and shall, upon conviction,
26 be sentenced to pay a fine of \$100 or be imprisoned for a term
27 not to exceed a period of 30 days. The commission may stop
28 payment of all funds paid or payable to municipalities under
29 this subchapter for any violation of this subchapter. It shall
30 notify the State Treasurer to discontinue disbursement of any

1 State funds until a municipality is in compliance with this
2 subchapter.

3 § 2168. Automatic certification.

4 * * *

5 (b) [Campus or university police] Police officers.--Any
6 [campus or university] police officer who, as of August 27,
7 1993, has successfully completed a basic training course similar
8 to that required under this subchapter shall, after review by
9 the commission, be certified as having met the basic training
10 requirements of this subchapter. Any [campus or university]
11 police officer who, as of August 27, 1993, has not successfully
12 completed a basic training course similar to that required under
13 this subchapter which qualifies the police officer for
14 certification under this subsection shall be able to perform the
15 duties of a [campus or university] police officer until
16 certified by the commission, but no later than August 29, 1994.

17 * * *

18 § 2170. Reimbursement of expenses.

19 * * *

20 (e) Payment of mandatory in-service training.--[The]

21 (1) Except as set forth in paragraph (2), the commission
22 may pay for the cost of mandatory in-service training for all
23 police officers to the extent determined by the commission.

24 [However,]

25 (2) All of the following shall be ineligible for
26 reimbursement of any expense under this section incurred
27 during their police officer training:

28 (i) A college[,] or university[, railroad and street
29 railway police shall not be eligible for reimbursement of
30 any expense under this section].

- 1 (ii) Railroad and street railway police.
- 2 (iii) The Capitol Police.
- 3 (iv) The Harrisburg International Airport Police.
- 4 (v) An airport authority police department.

5 Section 3. This act shall take effect in 60 days.