

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 668 Session of
2003

INTRODUCED BY COSTA, MELLOW, LOGAN, WAGNER, KUKOVICH, O'PAKE,
KITCHEN, BOSCOLA, SCHWARTZ, STOUT, WAUGH, PILEGGI, WOZNIAK,
C. WILLIAMS AND KASUNIC, APRIL 24, 2003

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 19, 2004

AN ACT

~~Establishing a uniform crime reporting program; requiring all
county and municipal law enforcement agencies to report
certain information occurring within the respective
jurisdictions; imposing duties on the Pennsylvania Commission
on Crime and Delinquency; and authorizing the Pennsylvania
State Police to collect and gather information on crime and
make annual reports.~~

REQUIRING INSTITUTIONS OF HIGHER EDUCATION TO PROVIDE STUDENTS
AND EMPLOYEES WITH INFORMATION RELATING TO CRIME STATISTICS
AND SECURITY MEASURES AND TO PROVIDE SIMILAR INFORMATION TO
PROSPECTIVE STUDENTS AND EMPLOYEES UPON REQUEST; GRANTING
POWERS TO THE STATE BOARD OF EDUCATION; ESTABLISHING A
UNIFORM CRIME REPORTING PROGRAM; REQUIRING ALL COUNTY AND
MUNICIPAL LAW ENFORCEMENT AGENCIES TO REPORT CERTAIN
INFORMATION OCCURRING WITHIN THE RESPECTIVE JURISDICTIONS;
IMPOSING DUTIES ON THE PENNSYLVANIA COMMISSION ON CRIME AND
DELINQUENCY; AUTHORIZING THE PENNSYLVANIA STATE POLICE TO
COLLECT AND GATHER INFORMATION ON CRIME AND MAKE ANNUAL
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22 The General Assembly of the Commonwealth of Pennsylvania
23 hereby enacts as follows:

24 ~~Section 1. Short title.~~ <—

25 ~~This act shall be known and may be cited as the Pennsylvania~~
26 ~~Uniform Crime Reporting Act.~~

27 ~~Section 2. Definitions.~~

28 CHAPTER 1 <—

29 PRELIMINARY PROVISIONS

30 SECTION 101. SHORT TITLE.

1 "COMMUNITY COLLEGES." INSTITUTIONS NOW OR HEREAFTER CREATED
2 PURSUANT TO ARTICLE XIX-A OF THE ACT OF MARCH 10, 1949 (P.L.30,
3 NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, OR THE FORMER
4 ACT OF AUGUST 24, 1963 (P.L.1132, NO.484), KNOWN AS THE
5 COMMUNITY COLLEGE ACT OF 1963.

6 "INDEPENDENT INSTITUTION OF HIGHER EDUCATION." AN
7 INSTITUTION OF HIGHER EDUCATION WHICH IS OPERATED NOT FOR
8 PROFIT, LOCATED IN AND INCORPORATED OR CHARTERED BY THE
9 COMMONWEALTH, ENTITLED TO CONFER DEGREES AS SET FORTH IN 24
10 PA.C.S. § 6505 (RELATING TO POWER TO CONFER DEGREES) AND
11 ENTITLED TO APPLY TO ITSELF THE DESIGNATION "COLLEGE" OR
12 "UNIVERSITY" AS PROVIDED FOR BY STANDARDS AND QUALIFICATIONS
13 PRESCRIBED BY THE STATE BOARD OF EDUCATION PURSUANT TO 24
14 PA.C.S. CH. 65 (RELATING TO PRIVATE COLLEGES, UNIVERSITIES AND
15 SEMINARIES).

16 "INSTITUTION OF HIGHER EDUCATION." AN INDEPENDENT
17 INSTITUTION OF HIGHER EDUCATION, A COMMUNITY COLLEGE, A STATE-
18 OWNED INSTITUTION OR A STATE-RELATED INSTITUTION, ANY OF WHICH
19 IS APPROVED BY THE DEPARTMENT OF EDUCATION.

20 "INVESTIGATIVE INFORMATION." INFORMATION THAT IS ASSEMBLED
21 AS A RESULT OF THE PERFORMANCE OF ANY FORMAL OR INFORMAL INQUIRY
22 INTO A CRIMINAL INCIDENT OR AN ALLEGATION OF CRIMINAL
23 WRONGDOING. THE TERM MAY INCLUDE MODUS OPERANDI INFORMATION.

24 "STATE-OWNED INSTITUTIONS." THOSE INSTITUTIONS WHICH ARE
25 PART OF THE STATE SYSTEM OF HIGHER EDUCATION PURSUANT TO ARTICLE
26 XX-A OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE
27 PUBLIC SCHOOL CODE OF 1949.

28 "STATE-RELATED INSTITUTIONS." THE PENNSYLVANIA STATE
29 UNIVERSITY, THE UNIVERSITY OF PITTSBURGH, TEMPLE UNIVERSITY AND
30 LINCOLN UNIVERSITY AND THEIR BRANCH CAMPUSES.

1 "STUDENT HOUSING." ALL RESIDENCE HALLS AND SORORITY AND
2 FRATERNITY RESIDENCES OWNED OR UNDER THE CONTROL OF THE
3 INSTITUTION OF HIGHER EDUCATION.

4 "VALID COMPLAINT." ANY COMPLAINT RECEIVED BY A CAMPUS POLICE
5 OR CAMPUS SECURITY DEPARTMENT WHICH RESULTS IN AN INVESTIGATION
6 OR FOR WHICH AN ENTRY IS MADE IN AN INCIDENT REPORT, LOG OR
7 BLOTTER.

8 SECTION 303. CRIME STATISTICS AND SECURITY POLICIES AND
9 PROCEDURES.

10 (A) CRIME STATISTICS REPORTS.--EACH INSTITUTION OF HIGHER
11 EDUCATION SHALL REPORT TO THE PENNSYLVANIA STATE POLICE, ON AN
12 ANNUAL BASIS, CRIME STATISTICS FOR PUBLICATION IN CRIME IN
13 PENNSYLVANIA (UNIFORM CRIME REPORT) ON FORMS AND IN THE FORMAT
14 REQUIRED BY THE PENNSYLVANIA STATE POLICE.

15 (B) PUBLISHING AND DISTRIBUTING REPORTS.--EACH INSTITUTION
16 OF HIGHER EDUCATION SHALL PUBLISH AND DISTRIBUTE A REPORT WHICH
17 SHALL BE UPDATED ANNUALLY AND WHICH SHALL INCLUDE THE CRIME
18 STATISTICS AS REPORTED UNDER SUBSECTIONS (A) AND (B.2) FOR THE
19 MOST RECENT THREE-YEAR PERIOD. CRIME RATES SHALL ALSO BE
20 INCLUDED IN THE REPORT. THE CRIME RATES REPORTED SHALL BE BASED
21 ON THE NUMBERS AND CATEGORIES OF CRIMES REPORTED UNDER
22 SUBSECTIONS (A) AND (B.2) AND THE NUMBER OF FULL-TIME EQUIVALENT
23 UNDERGRADUATE AND GRADUATE STUDENTS (FTES) AND FULL-TIME
24 EQUIVALENT EMPLOYEES AT THE INSTITUTION OF HIGHER EDUCATION.
25 UPON REQUEST, THE INSTITUTION SHALL PROVIDE THE REPORT TO EVERY
26 PERSON WHO SUBMITS AN APPLICATION FOR ADMISSION TO EITHER A MAIN
27 OR BRANCH CAMPUS AND TO EACH NEW EMPLOYEE AT THE TIME OF
28 EMPLOYMENT. IN ITS ACKNOWLEDGMENT OF RECEIPT OF THE FORMAL
29 APPLICATION OF ADMISSION, THE INSTITUTION SHALL NOTIFY THE
30 APPLICANT OF THE AVAILABILITY OF SUCH INFORMATION. THE

1 INFORMATION SHALL ALSO BE PROVIDED ON AN ANNUAL BASIS TO ALL
2 STUDENTS AND EMPLOYEES. INSTITUTIONS WITH MORE THAN ONE CAMPUS
3 SHALL PROVIDE THE REQUIRED INFORMATION ON A CAMPUS-BY-CAMPUS
4 BASIS.

5 (B.1) DAILY LOGS AND PUBLIC RECORDS.--THE CAMPUS POLICE OR
6 CAMPUS SECURITY OFFICERS OF EACH INSTITUTION OF HIGHER EDUCATION
7 SHALL DEVELOP AND MAINTAIN A DAILY LOG AS A PUBLIC RECORD.
8 ENTRIES IN THE LOG SHALL BE CHRONOLOGICALLY RECORDED IN A MANNER
9 THAT CAN BE EASILY UNDERSTOOD AND SHALL INCLUDE THE FOLLOWING:

10 (1) A REPORT OF EACH VALID COMPLAINT AND ALL REPORTS OF
11 CRIMES RECEIVED BY THE CAMPUS POLICE OR CAMPUS SECURITY
12 OFFICERS AND THE RESPONSES THERETO. EXCEPT AS PROVIDED IN
13 PARAGRAPH (2), NAMES AND ADDRESSES SHALL NOT BE INCLUDED IN
14 THE DAILY LOG. THIS PROHIBITION NEED NOT PRECLUDE THE USE OF
15 WORDS, NUMBERS, PHRASES OR OTHER SIMILAR INDEX KEYS IN THE
16 LOGS TO SERVE AS INDICES TO INVESTIGATIVE INFORMATION.

17 (2) THE NAMES AND ADDRESSES OF PERSONS ARRESTED AND
18 CHARGED AND THE CHARGES FILED AGAINST THOSE PERSONS.

19 (3) A DESCRIPTION OF THE DISPOSITION OF THE CHARGES
20 FILED UNDER PARAGRAPH (2), TO BE ENTERED WHEN AND IF
21 REASONABLY AVAILABLE.

22 (B.2) ARRESTS BY STATE, COUNTY OR LOCAL POLICE.--FOR ARRESTS
23 MADE BY STATE, COUNTY OR LOCAL POLICE ON CAMPUSES OF
24 INSTITUTIONS OF HIGHER EDUCATION, THE APPLICABLE POLICE
25 DEPARTMENT SHALL PROVIDE TO THE INSTITUTION OF HIGHER EDUCATION
26 WITHOUT COST THE NAMES AND ADDRESSES OF PERSONS ARRESTED AND THE
27 CHARGES FILED AGAINST THOSE PERSONS FOR INCLUSION IN THE DAILY
28 LOGS REQUIRED UNDER THIS CHAPTER.

29 (B.3) INFORMATION CONCERNING JUVENILES.--NOTHING IN THIS
30 CHAPTER SHALL BE CONSTRUED TO APPLY TO INFORMATION CONCERNING

1 JUVENILES, EXCEPT AS PROVIDED IN 18 PA.C.S. § 9123 (RELATING TO
2 JUVENILE RECORDS), UNLESS THEY HAVE BEEN ADJUDICATED AS ADULTS.

3 (B.4) ENTRIES TO BE PUBLIC RECORDS.--ALL ENTRIES IN THE
4 DAILY LOGS SHALL, EXCEPT AS PROVIDED IN SUBSECTION (B.3) AND AS
5 OTHERWISE PROVIDED BY LAW, BE PUBLIC RECORDS AVAILABLE WITHOUT
6 COST FOR EXAMINATION AND INSPECTION BY THE PUBLIC DURING REGULAR
7 BUSINESS HOURS AND AT ALL OTHER REASONABLE TIMES. THE
8 INSTITUTIONS OF HIGHER EDUCATION MAY CHARGE A REASONABLE FEE FOR
9 THE COST OF COPIES, PHOTOGRAPHS OR PHOTOSTATS.

10 (C) SECURITY POLICIES AND PROCEDURES.--EACH INSTITUTION OF
11 HIGHER EDUCATION SHALL PROVIDE TO EVERY PERSON WHO SUBMITS AN
12 APPLICATION FOR ADMISSION TO A MAIN OR BRANCH CAMPUS, TO EVERY
13 NEW EMPLOYEE AT THE TIME OF EMPLOYMENT, AND ANNUALLY TO ALL
14 STUDENTS AND EMPLOYEES INFORMATION REGARDING THE INSTITUTION'S
15 SECURITY POLICIES AND PROCEDURES. INSTITUTIONS WITH A MAIN
16 CAMPUS AND ONE OR MORE BRANCH CAMPUSES SHALL PROVIDE THE
17 INFORMATION ON A CAMPUS-BY-CAMPUS BASIS. SUCH INFORMATION FOR
18 THE MOST RECENT SCHOOL YEAR SHALL INCLUDE, BUT NOT BE LIMITED
19 TO, THE FOLLOWING:

20 (1) THE NUMBER OF UNDERGRADUATE AND GRADUATE STUDENTS
21 ENROLLED.

22 (2) THE NUMBER OF UNDERGRADUATE AND GRADUATE STUDENTS
23 LIVING IN STUDENT HOUSING.

24 (3) THE TOTAL NUMBER OF NONSTUDENT EMPLOYEES WORKING ON
25 THE CAMPUS.

26 (4) THE ADMINISTRATIVE OFFICE RESPONSIBLE FOR SECURITY
27 ON THE CAMPUS.

28 (5) A DESCRIPTION OF THE TYPE AND NUMBER OF SECURITY
29 PERSONNEL UTILIZED BY THE INSTITUTION, INCLUDING A
30 DESCRIPTION OF THEIR TRAINING.

1 (6) THE ENFORCEMENT AUTHORITY OF SECURITY PERSONNEL,
2 INCLUDING THEIR WORKING RELATIONSHIP WITH STATE AND LOCAL
3 POLICE AGENCIES.

4 (7) POLICY ON REPORTING CRIMINAL INCIDENTS TO STATE AND
5 LOCAL POLICE.

6 (8) POLICY REGARDING ACCESS TO INSTITUTIONAL FACILITIES
7 AND PROGRAMS BY STUDENTS, EMPLOYEES, GUESTS AND OTHER
8 INDIVIDUALS.

9 (9) PROCEDURES AND FACILITIES FOR STUDENTS AND OTHERS TO
10 REPORT CRIMINAL ACTIONS OR OTHER EMERGENCIES OCCURRING ON
11 CAMPUS AND POLICIES CONCERNING THE INSTITUTION'S RESPONSE TO
12 SUCH REPORTS.

13 (10) A STATEMENT OF POLICY REGARDING THE POSSESSION, USE
14 AND SALE OF ALCOHOLIC BEVERAGES.

15 (11) A STATEMENT OF POLICY REGARDING THE POSSESSION, USE
16 AND SALE OF ILLEGAL DRUGS.

17 (12) A STATEMENT OF POLICY REGARDING THE POSSESSION AND
18 USE OF WEAPONS BY SECURITY PERSONNEL AND ANY OTHER PERSON.

19 (13) ANY POLICY REGARDING STUDENTS OR EMPLOYEES WITH
20 CRIMINAL RECORDS.

21 (14) SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF
22 CAMPUS FACILITIES, INCLUDING LANDSCAPING, GROUNDSKEEPING AND
23 OUTDOOR LIGHTING.

24 (15) A DESCRIPTION OF THE COMMUNICATION MEDIA USED TO
25 INFORM THE CAMPUS COMMUNITY ABOUT SECURITY MATTERS AS WELL AS
26 THE FREQUENCY WITH WHICH THE INFORMATION IS USUALLY PROVIDED.

27 (D) INFORMATION IN SECURITY POLICIES.--INSTITUTIONS WHICH
28 MAINTAIN STUDENT HOUSING FACILITIES SHALL INCLUDE IN THE
29 INFORMATION REQUIRED BY SUBSECTION (C) THE FOLLOWING:

30 (1) TYPES OF STUDENT HOUSING AVAILABLE (ON-CAMPUS, OFF-

CAMPUS; SINGLE ROOM, DOUBLE, GROUP; SINGLE SEX, COED;
UNDERGRADUATE, GRADUATE, MARRIED; ETC.).

(2) POLICIES ON HOUSING ASSIGNMENTS AND REQUESTS BY
STUDENTS FOR ASSIGNMENT CHANGES.

(3) POLICIES CONCERNING THE IDENTIFICATION AND ADMISSION
OF VISITORS IN STUDENT HOUSING FACILITIES.

(4) MEASURES TO SECURE ENTRANCES TO STUDENT HOUSING
FACILITIES.

(5) STANDARD SECURITY FEATURES USED TO SECURE DOORS AND
WINDOWS IN STUDENTS' ROOMS.

(6) A DESCRIPTION OF THE TYPE AND NUMBER OF EMPLOYEES,
INCLUDING SECURITY PERSONNEL, ASSIGNED TO THE STUDENT HOUSING
FACILITIES WHICH SHALL INCLUDE A DESCRIPTION OF THEIR
SECURITY TRAINING.

(7) THE TYPE AND FREQUENCY OF PROGRAMS DESIGNED TO
INFORM STUDENT HOUSING RESIDENTS ABOUT HOUSING SECURITY AND
ENFORCEMENT PROCEDURES.

(8) POLICY AND ANY SPECIAL SECURITY PROCEDURES FOR
HOUSING STUDENTS DURING LOW-OCCUPANCY PERIODS SUCH AS
HOLIDAYS AND VACATION PERIODS.

(9) POLICY ON THE HOUSING OF GUESTS AND OTHERS NOT
ASSIGNED TO THE STUDENT HOUSING OR NOT REGULARLY ASSOCIATED
WITH THE INSTITUTION OF HIGHER EDUCATION.

SECTION 304. RULES AND REGULATIONS.

THE STATE BOARD OF EDUCATION MAY, IN THE MANNER PROVIDED BY
LAW, PROMULGATE THE RULES AND REGULATIONS NECESSARY TO CARRY OUT
THIS CHAPTER.

SECTION 305. ENFORCEMENT.

(A) ACTION TO COMPEL COMPLIANCE.--WHENEVER THE ATTORNEY
GENERAL HAS REASON TO BELIEVE THAT AN INSTITUTION OF HIGHER

1 EDUCATION IS VIOLATING THIS CHAPTER, THE ATTORNEY GENERAL MAY
2 BRING AN ACTION IN THE NAME OF THE COMMONWEALTH AGAINST THE
3 INSTITUTION TO COMPEL COMPLIANCE.

4 (B) CIVIL PENALTY.--IN ANY ACTION BROUGHT BY THE ATTORNEY
5 GENERAL TO COMPEL COMPLIANCE WITH THIS CHAPTER, IF THE COURT
6 FINDS THAT AN INSTITUTION OF HIGHER EDUCATION IS WILLFULLY
7 VIOLATING THIS CHAPTER OR IF ANY INSTITUTION OF HIGHER EDUCATION
8 FAILS TO PROMPTLY COMPLY WITH AN ORDER OF THE COURT TO COMPLY
9 WITH THIS CHAPTER, THE ATTORNEY GENERAL, ACTING IN THE NAME OF
10 THE COMMONWEALTH, MAY RECOVER ON BEHALF OF THE COMMONWEALTH A
11 CIVIL PENALTY NOT TO EXCEED \$10,000.

12 CHAPTER 5

13 UNIFORM CRIME REPORTING

14 SECTION 501. SCOPE.

15 THIS CHAPTER RELATES TO UNIFORM CRIME REPORTING.

16 SECTION 502. DEFINITIONS.

17 The following words and phrases when used in this ~~act~~ CHAPTER <—
18 shall have the meanings given to them in this section unless the
19 context clearly indicates otherwise:

20 "Pennsylvania Uniform Crime Reporting (UCR) Program." A
21 program established by law which provides Statewide information
22 on crime trends and volume based on the reporting of statistics
23 by law enforcement agencies throughout this Commonwealth.

24 "Pennsylvania Uniform Crime Reporting System" or "PAUCRS." A
25 World Wide Web-based data collection and dissemination system
26 used to facilitate operation of the Pennsylvania Uniform Crime
27 Reporting Program.

28 "State, county and local law enforcement agencies."

29 (1) The Pennsylvania State Police; and

30 (2) any city, borough, town, township or county police

1 agency or organization that possesses general police powers
2 and is charged with making arrests in connection with the
3 enforcement of criminal or traffic laws and employs law
4 enforcement officers duly certified under the former act of
5 June 18, 1974 (P.L.359, No.120), referred to as the Municipal
6 Police Education and Training Law, or 53 Pa.C.S. Ch. 21
7 Subch. D (relating to Municipal Police Education and
8 Training).

9 Section 3 503. Establishment of Pennsylvania Uniform Crime <—
10 Reporting Program.

11 ~~(a) Program.~~ A Pennsylvania Uniform Crime Reporting Program <—
12 shall be established under the direction, control and
13 supervision of the Pennsylvania State Police. The Pennsylvania
14 State Police shall have the power and duty to promulgate such
15 rules and regulations pursuant to the act of June 25, 1982
16 (P.L.633, No.181), known as the Regulatory Review Act, as the
17 Pennsylvania State Police may deem necessary, to collect and
18 gather the information from State, county and local law
19 enforcement agencies as may be prescribed in this act CHAPTER. <—

20 ~~(b) Notification. This program shall include a procedure~~ <—
21 ~~for notifying:~~

22 ~~(1) county and local law enforcement agencies that are~~
23 ~~not compliant with their reporting requirements;~~

24 ~~(2) the Administrative Office of Pennsylvania Courts and~~
25 ~~the Pennsylvania Commission on Crime and Delinquency of the~~
26 ~~failure of a county or local law enforcement agency to comply~~
27 ~~with the requirements in section 4 and of the imposition of~~
28 ~~the penalty provisions contained in subsection (c); and~~

29 ~~(3) the Administrative Office of Pennsylvania Courts and~~
30 ~~the Pennsylvania Commission on Crime and Delinquency when a~~

~~delinquent county or local law enforcement agency becomes
compliant with the requirements of section 4 and is no longer
subject to the provisions of subsection (c).~~

~~(c) Penalties. Any county or local law enforcement agency
that fails to comply with the requirements in section 4 within
30 days of the date of the mailing of notification pursuant to
subsection (b) shall be ineligible to receive any portion of
fines collected and distributed under 42 Pa.C.S. Ch. 35, Subch.
E (relating to fines, etc.) or any grant administered by the
Pennsylvania Commission on Crime and Delinquency.~~

~~(d) Disposition of forfeited funds under subsection (c).
All funds forfeited under subsection (c) shall be transmitted to
the Commonwealth for deposit in the same manner and to the same
funds as set forth in 42 Pa.C.S. § 3571 (relating to
Commonwealth portion of fines, etc.).
Section 3.1. Collection of penalty.~~

~~(a) General rule. Upon receipt of notice pursuant to
section 3(b)(2), the Administrative Office of Pennsylvania
Courts shall direct the appropriate courts of jurisdiction to
withhold all fines, fees and penalties otherwise due to the
municipality or county under which the delinquent law
enforcement agency is organized for the period of noncompliance
and shall direct that all such funds shall be deposited in
accordance with section 3(d).~~

~~(b) Grants. The Pennsylvania Commission on Crime and
Delinquency shall, upon receipt of notice pursuant to section
3(b)(2), suspend the processing or award of grants to a
municipality or county under which a delinquent law enforcement
agency is organized for the period of noncompliance.~~

Section 4 504. Monthly reporting.

<—

1 (A) GENERAL RULE.--All State, county and local law <—
2 enforcement agencies shall report statistical information
3 related to the number and nature of offenses occurring within
4 their respective jurisdictions, the disposition of such matters,
5 and such other related information as the Pennsylvania State
6 Police may require. Such reports shall be consistent with
7 established UCR guidelines, in a manner as prescribed by the
8 Pennsylvania State Police, and shall reflect monthly increments.

9 (B) PENALTIES.--IF ANY COUNTY OR LOCAL LAW ENFORCEMENT <—
10 AGENCY FAILS TO COMPLY WITH SUBSECTION (A) WITHIN 30 DAYS OF THE
11 DATE OF THE MAILING OF NOTIFICATION UNDER SUBSECTION (C)(1)(I),
12 THE COUNTY OR LOCAL MUNICIPALITY UNDER WHICH THE NONCOMPLIANT
13 COUNTY OR LOCAL LAW ENFORCEMENT AGENCY IS ORGANIZED SHALL NOT BE
14 ELIGIBLE TO RECEIVE ANY PORTION OF FINES COLLECTED AND
15 DISTRIBUTED UNDER 42 PA.C.S. CH. 35 SUBCH. E (RELATING TO FINES,
16 ETC.) AND SHALL NOT BE AWARDED ANY GRANT ADMINISTERED BY THE
17 PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY UNTIL THE
18 PENNSYLVANIA STATE POLICE MAKES A DETERMINATION THAT THE COUNTY
19 OR LOCAL LAW ENFORCEMENT AGENCY HAS ACHIEVED COMPLIANCE WITH
20 SUBSECTION (A).

21 (C) NOTIFICATION.--

22 (1) WITHIN TEN DAYS OF A DETERMINATION BY THE
23 PENNSYLVANIA STATE POLICE THAT A COUNTY OR LOCAL LAW
24 ENFORCEMENT AGENCY HAS FAILED TO COMPLY WITH SUBSECTION (A),
25 THE PENNSYLVANIA STATE POLICE SHALL DO ALL OF THE FOLLOWING:

26 (I) NOTIFY THE CHIEF OF THE COUNTY OR LOCAL LAW
27 ENFORCEMENT AGENCY THAT THE AGENCY HAS FAILED TO COMPLY
28 WITH SUBSECTION (A). THE NOTICE SHALL INDICATE THAT
29 UNLESS THE AGENCY COMPLIES WITH THE REPORTING
30 REQUIREMENTS OF SUBSECTION (A) WITHIN 30 DAYS OF THE

MAILING OF THE NOTICE, THE COUNTY, MUNICIPALITY OR
AUTHORITY UNDER WHICH THE NONCOMPLIANT COUNTY OR LOCAL
LAW ENFORCEMENT AGENCY IS ORGANIZED WILL BE SUBJECT TO
THE PENALTIES SET FORTH IN SUBSECTION (B).

(II) NOTIFY THE ADMINISTRATOR OF THE COUNTY,
MUNICIPALITY OR AUTHORITY UNDER WHICH THE NONCOMPLIANT
COUNTY OR LOCAL LAW ENFORCEMENT AGENCY IS ORGANIZED THAT
THE AGENCY HAS FAILED TO COMPLY WITH SUBSECTION (A). THE
NOTICE SHALL INDICATE THAT UNLESS THE AGENCY COMPLIES
WITH THE REPORTING REQUIREMENTS OF SUBSECTION (A) WITHIN
30 DAYS OF THE MAILING OF THE NOTICE, THE COUNTY,
MUNICIPALITY OR AUTHORITY UNDER WHICH THE NONCOMPLIANT
COUNTY OR LOCAL LAW ENFORCEMENT AGENCY IS ORGANIZED WILL
BE SUBJECT TO THE PENALTIES SET FORTH IN SUBSECTION (B).

(2) WITHIN TEN DAYS OF A DETERMINATION BY THE
PENNSYLVANIA STATE POLICE THAT A NONCOMPLIANT COUNTY OR LOCAL
LAW ENFORCEMENT AGENCY IS SUBJECT TO THE PENALTIES SET FORTH
IN SUBSECTION (B), THE PENNSYLVANIA STATE POLICE SHALL NOTIFY
THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS AND THE
PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY TO PROCEED
IN ACCORDANCE WITH SUBSECTION (D).

(3) WITHIN TEN DAYS OF A DETERMINATION BY THE
PENNSYLVANIA STATE POLICE THAT A COUNTY OR LOCAL LAW
ENFORCEMENT AGENCY IS NO LONGER SUBJECT TO THE PENALTIES SET
FORTH IN SUBSECTION (B), THE PENNSYLVANIA STATE POLICE SHALL
NOTIFY THE OFFICE AND THE COMMISSION TO PROCEED UNDER
SUBSECTION (E).

(D) ENFORCEMENT OF PENALTY.--

(1) WITHIN TEN DAYS OF THE RECEIPT OF NOTICE FROM THE
PENNSYLVANIA STATE POLICE UNDER SUBSECTION (C)(2), THE OFFICE

1 SHALL DIRECT THE APPROPRIATE COURT OF JURISDICTION TO
2 WITHHOLD ALL MONEYS COLLECTED AND DISTRIBUTED PURSUANT TO 42
3 PA.C.S. CH. 35 SUBCH. E WHICH ARE OTHERWISE DUE TO THE
4 COUNTY, MUNICIPALITY OR AUTHORITY, UNDER WHICH THE
5 NONCOMPLIANT COUNTY OR LOCAL LAW ENFORCEMENT AGENCY IS
6 ORGANIZED, UNTIL THE OFFICE RECEIVES NOTICE FROM THE
7 PENNSYLVANIA STATE POLICE UNDER SUBSECTION (C)(3).

8 (2) WITHIN TEN DAYS OF THE RECEIPT OF NOTICE FROM THE
9 PENNSYLVANIA STATE POLICE UNDER SUBSECTION (C)(2), THE
10 COMMISSION SHALL NOT AWARD ANY GRANT TO THE COUNTY,
11 MUNICIPALITY OR AUTHORITY, UNDER WHICH THE NONCOMPLIANT
12 COUNTY OR LOCAL LAW ENFORCEMENT AGENCY IS ORGANIZED, UNTIL
13 THE COMMISSION RECEIVES NOTICE FROM THE PENNSYLVANIA STATE
14 POLICE UNDER SUBSECTION (C)(3).

15 (E) RELEASE FROM PENALTIES.--

16 (1) WITHIN TEN DAYS OF THE RECEIPT OF NOTICE FROM THE
17 PENNSYLVANIA STATE POLICE UNDER SUBSECTION (C)(3), THE OFFICE
18 SHALL INSTRUCT THE APPROPRIATE COURT OF JURISDICTION TO
19 RELEASE TO THE COUNTY OR MUNICIPALITY ALL FUNDS WITHHELD AND
20 ANY ACCRUED INTEREST UNDER SUBSECTION (B) AND TO NO LONGER
21 WITHHOLD FROM THE COUNTY, MUNICIPALITY OR AUTHORITY ANY
22 MONEYS COLLECTED AND DISTRIBUTED UNDER 42 PA.C.S. CH. 35
23 SUBCH. E.

24 (2) WITHIN TEN DAYS OF THE RECEIPT OF NOTICE FROM THE
25 PENNSYLVANIA STATE POLICE UNDER SUBSECTION (C)(3), THE
26 COMMISSION SHALL NO LONGER PROHIBIT THE COUNTY OR
27 MUNICIPALITY FROM BEING AWARDED A GRANT AS REQUIRED BY
28 SUBSECTION (B).

29 Section 5 505. Compilation of statistics.

30 Upon receipt of the information, the Pennsylvania State

1 Police shall have such data collated and formatted and shall
2 compile such statistics as the Pennsylvania State Police may
3 deem necessary to present a proper depiction of the nature and
4 volume of crime within this Commonwealth.

5 Section 6 506. Annual report. <—

6 The Pennsylvania State Police shall electronically publish an
7 annual report containing results of the information gathered and
8 collated for access by the Governor, the General Assembly, the
9 Attorney General and the public through the PAUCRS.

10 Section 7 507. Dissemination of law enforcement agency <—
11 information.

12 Annually, or at such other intervals as requested by the
13 Pennsylvania State Police, the Municipal Police Officers'
14 Education and Training Commission shall provide the Pennsylvania
15 State Police with information related to those Pennsylvania law
16 enforcement agencies known to be in existence. Such information
17 shall be correlated with UCR data on file to identify law
18 enforcement agencies which have failed to submit the reports
19 required by section 4 504. A listing of such law enforcement <—
20 agencies shall be included in the annual report. A current
21 listing of such agencies shall also be made available for public
22 access through the PAUCRS.

23 Section 8 508. Repeal. <—

24 All acts and parts of acts are repealed insofar as they are
25 inconsistent with this ~~act~~ CHAPTER. <—

26 Section 9 509. Implementation. <—

27 Implementation of the provisions of this ~~act~~ CHAPTER is <—
28 contingent upon the availability of funding to facilitate
29 changes as may be required in the Pennsylvania UCR Program and
30 the Pennsylvania Uniform Crime Reporting System.

1 ~~Section 10. Effective date.~~

<—

2 ~~This act shall take effect in 60 days.~~

3 CHAPTER 20

<—

4 MISCELLANEOUS PROVISIONS

5 SECTION 2001. REPEAL.

6 THE ACT OF MAY 26, 1988 (P.L.448, NO.73), KNOWN AS THE
7 COLLEGE AND UNIVERSITY SECURITY INFORMATION ACT, IS REPEALED.

8 SECTION 2002. CONTINUATION.

9 CHAPTER 3 IS A CONTINUATION OF THE ACT OF MAY 26, 1988
10 (P.L.448, NO.73), KNOWN AS THE COLLEGE AND UNIVERSITY SECURITY
11 INFORMATION ACT. THE FOLLOWING APPLY:

12 (1) REGULATIONS PROMULGATED UNDER THE COLLEGE AND
13 UNIVERSITY SECURITY INFORMATION ACT AND IN EFFECT ON THE
14 EFFECTIVE DATE OF SECTION 2001 ARE VALID UNTIL AMENDED OR
15 DELETED UNDER CHAPTER 3.

16 (2) CONTRACTS AND OBLIGATIONS ENTERED INTO UNDER THE
17 COLLEGE AND UNIVERSITY SECURITY INFORMATION ACT ARE NOT
18 AFFECTED NOR IMPAIRED BY THE REPEAL OF THE COLLEGE AND
19 UNIVERSITY SECURITY INFORMATION ACT.

20 (3) ACTIONS AND JUDICIAL PROCEEDINGS INITIATED UNDER THE
21 COLLEGE AND UNIVERSITY SECURITY INFORMATION ACT MAY BE
22 COMPLETED UNDER CHAPTER 3.

23 SECTION 2003. EFFECTIVE DATE.

24 THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

25 (1) CHAPTER 5 SHALL TAKE EFFECT IN 180 DAYS.

26 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
27 IMMEDIATELY.