
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 104 Session of
2007

INTRODUCED BY OLIVER, McCALL, COHEN, WATERS, JAMES, SOLOBAY,
MELIO, YOUNGBLOOD, RAYMOND, READSHAW, SCAVELLO, PARKER, KULA,
HERSHEY AND FREEMAN, JANUARY 30, 2007

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 30, 2007

AN ACT

1 Providing for police force augmentation grants; establishing the
2 Police on Patrol Grant Program and the Police on Patrol Fund;
3 and conferring powers and duties on the Pennsylvania
4 Commission on Crime and Delinquency.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Police on
9 Patrol Act.

10 Section 2. Definitions.

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

14 "Base complement." The number of police officers in a police
15 department as of the effective date of this act.

16 "Commission." The Pennsylvania Commission on Crime and
17 Delinquency.

18 "Crime reports." The Pennsylvania State Police Uniform Crime

1 Reports as of June 9, 2006.

2 "Fund." The Police on Patrol Fund established in section 4.

3 "Municipality." A city, borough, incorporated town or
4 township in this Commonwealth.

5 "Police department." A public agency of a municipality
6 having general police powers and charged with making arrests in
7 connection with the enforcement of the criminal or traffic laws.

8 "Police officer." A full-time active employee of a police
9 department assigned to criminal or traffic law enforcement
10 duties in a specific uniformed police district within a
11 municipality. The term excludes auxiliary and fire police,
12 persons assigned to transportation centers, persons employed to
13 check parking meters or to perform only administrative duties or
14 persons on special detail or on restricted or limited duty.

15 "Program." The Police on Patrol Grant Program established in
16 section 3.

17 "Salaries." The term shall include health benefits but shall
18 not include overtime, longevity or pension compensation.

19 Section 3. Program.

20 (a) Establishment.--There is established within the
21 commission the Police on Patrol Grant Program. The program shall
22 provide grants to police departments for reimbursement of the
23 cost to municipalities of salaries of new police officers hired
24 above the base complement.

25 (b) Applications.--On or before August 31 of the fiscal year
26 in which this act takes effect, a municipality may submit an
27 application to the commission requesting a grant. The
28 application shall be on a form required by the commission and
29 shall include or demonstrate all of the following:

30 (1) The name and address of the municipality and the

1 name and telephone number of a contact person.

2 (2) The amount of the grant requested and the proposed
3 number of police officers whose salaries will be reimbursed
4 by the grant together with a detailed breakdown of the
5 salaries involved.

6 (3) Evidence satisfactory to the commission of the
7 method used for calculating the base complement. It is the
8 intent of the General Assembly that grants shall only be
9 awarded for the purpose of increasing the number of active
10 police officers in a police department in excess of the base
11 complement.

12 (4) A statement that the police officers to be hired
13 with the proceeds of the grant will be involved in activities
14 that are focused on interaction with members of the community
15 and emphasize proactive crime control and prevention.

16 (5) Evidence that public safety will be enhanced by
17 increasing the number of police officers involved in the
18 activities described in paragraph (4).

19 (6) An analysis of the crime statistics for the
20 municipality.

21 (7) Any other information required by the commission.

22 (c) Review by commission.--The commission shall review the
23 application and shall approve or deny the application by October
24 31 of the fiscal year in which this act takes effect. While
25 conducting its review, the commission shall consider the
26 following:

27 (1) Whether or not the municipality has demonstrated
28 that the activities of the police officers hired with funds
29 from the program will have a substantial beneficial impact on
30 the municipality.

1 (2) Whether or not the municipality has demonstrated
2 that the police department will provide specialized training
3 to the police officers hired with funds from the program to
4 enhance their conflict resolution, mediation, problem-
5 solving, service and other skills needed to work in
6 partnership with members of the community they will be
7 serving.

8 (d) Award of grant.--Upon being satisfied that all of the
9 requirements for awarding a grant to the applicant have been
10 met, the commission may approve the application, and, if
11 approved, the commission shall award the grant and notify the
12 municipality of such approval.

13 (e) Payment of grant proceeds and verification of
14 compliance.--Proceeds of grants awarded under this act shall be
15 paid by the commission to a successful applicant in four equal
16 installments at the beginning of each three-month period
17 following the notification of the award by the commission.
18 However, the municipality shall certify in writing to the
19 commission at least 15 days but not more than 20 days prior to
20 the start of each three-month period, commencing with the second
21 period of each year that the grant is to be awarded or renewed,
22 the size of its police department's base complement as of the
23 date of the certification. The commission is authorized to
24 withhold all or any portion of a payment if the size of the
25 municipality's base complement, not including the number of
26 police officers covered by the grant, is less than the size of
27 the base complement included in the municipality's grant
28 application.

29 (f) Limitations.--

30 (1) Grants may be awarded in the amount of up to \$50,000

1 for each police officer hired over the base complement.

2 (2) Forty percent of the moneys in the fund shall be
3 reserved by the commission for grants to any municipality
4 that had 75 or more homicides by firearm or handgun in 2005
5 according to the crime reports.

6 (3) Twenty-five percent of the moneys in the fund shall
7 be reserved by the commission for grants to any municipality
8 that had 50 but not more than 74 homicides by firearm or
9 handgun in 2005 according to the crime reports.

10 (4) The remaining moneys in the fund shall be used for
11 grants to any municipality that had five but not more than 49
12 homicides by firearm or handgun in 2005 according to the
13 crime reports.

14 (5) If reserved funds under paragraphs (1) and (2) are
15 more than are needed to satisfy the total amount of grants to
16 be awarded to the municipalities described in such
17 paragraphs, the commission may utilize the excess funds for
18 grants to other municipalities as it shall determine.

19 (6) Funds made available by the program shall not be
20 used to supplant local funds, but shall be used to increase
21 the amount of funds that would, in the absence of funds
22 received under this act, be made available from local
23 sources.

24 (g) Proration.--If the total amount of grants exceeds the
25 amount of money in the fund, the amount of grants shall be
26 prorated among the successful applicants.

27 (h) Renewal of grants.--A grant awarded under this act may
28 be renewed for up to two additional fiscal years after the first
29 fiscal year during which a municipality receives its initial
30 grant if the commission determines that the proceeds of the

1 initial grant were used in a manner required under the
2 municipality's application and if the municipality can
3 demonstrate significant progress in achieving the objectives
4 outlined in the initial application.

5 Section 4. Police on Patrol Fund.

6 (a) Establishment.--There is hereby established within the
7 State Treasury a restricted account to be known as the Police on
8 Patrol Fund.

9 (b) Source of funds and nonlapse of funds.--Moneys
10 appropriated for the purposes of the program shall be deposited
11 into the fund. Except as provided in section 6, moneys in the
12 fund at the end of a fiscal year shall not lapse.

13 (c) Use of funds.--Moneys in the fund shall be used for the
14 grants to be awarded under the program and for the purposes set
15 forth in section 5(b). Moneys in the fund are hereby
16 appropriated, upon approval of the Governor, for the purposes
17 set forth in this act.

18 Section 5. Administration.

19 (a) Guidelines.--The commission may develop guidelines for
20 the implementation of the program.

21 (b) Expenditures.--The commission may utilize up to 3%
22 annually of the moneys in the fund, up to the sum of \$300,000,
23 as allocated by the Governor, for expenses incurred in
24 administering the program. Such sums shall be allocated at the
25 start of each fiscal year prior to the awarding of any grants or
26 renewals by the commission.

27 Section 6. Expiration of program.

28 The program shall expire at the end of the third full fiscal
29 year following the effective date of this act. Moneys in the
30 fund on the expiration date shall lapse into the General Fund.

1 Section 7. Effective date.

2 This act shall take effect immediately.