
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1527 Session of
2007

INTRODUCED BY ELLIS, BASTIAN, BENNINGHOFF, BEYER, BOYD, BRENNAN,
BUXTON, CIVERA, COSTA, DALLY, DeLUCA, J. EVANS, EVERETT,
GERGELY, HARHAI, HARHART, HARRIS, HERSHEY, M. KELLER,
KILLION, LONGIETTI, MANN, MARSICO, MENSCH, MILLARD, MOUL,
NAILOR, PYLE, QUIGLEY, REICHLEY, SAINATO, SAMUELSON, SANTONI,
SCHRODER, SEIP, SIPTROTH, SOLOBAY, SONNEY, R. STEVENSON,
THOMAS, VEREB, VULAKOVICH, YOUNGBLOOD, PALLONE, KORTZ AND
GINGRICH, JUNE 18, 2007

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 18, 2007

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, providing for the regulation of
3 political activity by police officers.

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

6 Section 1. Chapter 21 of Title 53 is amended by adding a
7 subchapter to read:

8 SUBCHAPTER F

9 POLITICAL ACTIVITY

10 Sec.

11 2191. Definitions.

12 2192. Political activity.

13 2193. Discipline or removal.

14 2194. Applicability.

15 § 2191. Definitions.

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

4 "Police officer." A full-time or part-time employee of a
5 city, borough, town, township or county police department
6 assigned to criminal or traffic law enforcement duties and
7 certified under Subchapter D (relating to municipal police
8 education and training).

9 § 2192. Political activity.

10 (a) Campaigning.--A police officer may not engage or
11 participate in the conduct of any political or election campaign
12 while the police officer is on duty or in uniform.

13 (b) Incompatible offices.--

14 (1) A police officer may not hold an elective office of
15 the municipality that employs the police officer.

16 (2) A police officer who is employed by a regional
17 department, council of government or other cooperative
18 venture may not hold an elective office of any municipality
19 that participates in the regional department, council of
20 government or other cooperative venture.

21 § 2193. Discipline or removal.

22 (a) Civil service employees.--A police officer who is
23 subject to the civil service provisions of any statute, home
24 rule charter, optional plan, optional charter or municipal
25 ordinance shall be subject to disciplinary action or removed for
26 a violation of section 2192 (relating to political activity) in
27 accordance with the civil service procedures of the applicable
28 statute, home rule charter, optional plan, optional charter or
29 municipal ordinance.

30 (b) Noncivil service employees.--

1 (1) A police officer who is not subject to subsection
2 (a) shall be subject to disciplinary action or removal for a
3 violation of section 2192 in accordance with a disciplinary
4 and removal procedure prescribed by the governing body of the
5 municipality that employs the police officer.

6 (2) A police officer who is not subject to subsection
7 (a) and is employed by a regional department, council of
8 government or other cooperative venture shall be subject to
9 disciplinary action or removal for a violation of section
10 2192 in accordance with a disciplinary and removal procedure
11 prescribed by the governing body of the regional department,
12 council of government or other cooperative venture that
13 employs the police officer.

14 (3) Governing bodies shall prescribe procedures under
15 this subsection within 90 days of the effective date of this
16 section.

17 § 2194. Applicability.

18 Any provision of an ordinance, home rule charter, optional
19 plan or optional charter in effect on the effective date of this
20 section is abrogated insofar as it is inconsistent with this
21 subchapter.

22 Section 2. Repeals are as follows:

23 (1) The General Assembly declares that the repeals under
24 paragraph (2) are necessary to effectuate the addition of 53
25 Pa.C.S. Ch. 21 Subch. F.

26 (2) The following acts and parts of acts are repealed:

27 (i) Section 644(6) of the act of June 24, 1931
28 (P.L.1206, No.331), known as The First Class Township
29 Code.

30 (ii) Section 20(6) of the act of 1941 (P.L.84,

1 No.45), entitled "An act providing for and regulating the
2 appointment, promotion and reduction in rank, suspension
3 and removal of paid members of the police force in
4 boroughs, incorporated towns and townships of the first
5 class maintaining a police force of not less than three
6 members; creating a civil service commission in each
7 borough, incorporated town and township of the first
8 class; defining the duties of such civil service
9 commission; imposing certain duties and expense on
10 boroughs, incorporated towns and townships of the first
11 class; imposing penalties, and repealing inconsistent
12 laws."

13 (iii) Section 1190(6) of the act of February 1, 1966
14 (1965 P.L.1656, No.581), known as The Borough Code.

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