

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2043 Session of 2011

INTRODUCED BY HAHN, BENNINGHOFF, K. BOYLE, BRENNAN, CALTAGIRONE, CLYMER, CREIGHTON, DENLINGER, FARRY, GEIST, GINGRICH, GROVE, HARKINS, HENNESSEY, HESS, HICKERNELL, M. K. KELLER, KILLION, KULA, MARSHALL, MILLER, MOUL, MURT, PETRARCA, PYLE, QUINN, REICHLEY, SWANGER, TAYLOR AND YOUNGBLOOD, DECEMBER 5, 2011

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, OCTOBER 15, 2012

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for powers and
3 duties of Municipal Police Officers' Education and Training
4 Commission.

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

7 Section 1. Section 2164(15) of Title 53 of the Pennsylvania
8 Consolidated Statutes is amended AND THE SECTION IS AMENDED BY
9 ADDING PARAGRAPHS to read:

10 § 2164. Powers and duties of commission.

11 The powers and duties of the commission shall be as follows:

12 * * *

13 ~~(3.1) TO SUSPEND OR REVOKE THE CERTIFICATION OF A POLICE~~
14 ~~OFFICER OR THE APPROVAL OF AN INSTRUCTOR FOR A VIOLATION OF~~
15 ~~37 PA. CODE CH. 203 (RELATING TO ADMINISTRATION OF THE~~
16 ~~PROGRAM). A HEARING EXAMINER APPOINTED BY THE COMMISSION~~
17 ~~SHALL RECOMMEND TO THE COMMISSION WHETHER THE CERTIFICATION~~

~~OF A POLICE OFFICER OR THE APPROVAL OF AN INSTRUCTOR SHALL BE
SUSPENDED OR REVOKED. IN THE CASE OF A SUSPENSION, THE
HEARING EXAMINER SHALL RECOMMEND A PERIOD OF SUSPENSION. IF
THE COMMISSION SUSPENDS THE CERTIFICATION OF A POLICE OFFICER
OR THE APPROVAL OF AN INSTRUCTOR, THE POLICE OFFICER OR THE
INSTRUCTOR MAY REAPPLY FOR CERTIFICATION OR APPROVAL NO
SOONER THAN ONE YEAR AFTER THE DATE OF SUSPENSION. A POLICE
OFFICER WHOSE CERTIFICATION WAS REVOKED PRIOR TO THE
EFFECTIVE DATE OF THIS PARAGRAPH MAY APPLY TO THE COMMISSION
FOR REINSTATEMENT. THE COMMISSION SHALL DEVELOP STANDARDS TO
DETERMINE WHETHER CERTIFICATION SHOULD BE REINSTATED.~~

(3.1) TO SUSPEND OR REVOKE THE CERTIFICATION OF A POLICE
OFFICER OR THE APPROVAL OF AN INSTRUCTOR FOR A VIOLATION OF
37 PA. CODE CH. 203 (RELATING TO ADMINISTRATION OF THE
PROGRAM). THE FOLLOWING SHALL APPLY:

(I) IN THE CASE OF A SUSPENSION, A HEARING EXAMINER
APPOINTED BY THE COMMISSION SHALL RECOMMEND TO THE
COMMISSION WHETHER THE CERTIFICATION OF A POLICE OFFICER
OR THE APPROVAL OF AN INSTRUCTOR SHALL BE SUSPENDED. IF
THE CERTIFICATION OR APPROVAL IS SUSPENDED, THE HEARING
EXAMINER SHALL RECOMMEND A PERIOD OF SUSPENSION WHICH MAY
BE APPROVED BY THE COMMISSION. AT THE END OF THE PERIOD
OF SUSPENSION, THE POLICE OFFICER OR INSTRUCTOR MAY
REAPPLY FOR CERTIFICATION OR APPROVAL.

(II) A POLICE OFFICER OR INSTRUCTOR WHOSE
CERTIFICATION OR APPROVAL IS REVOKED BEFORE, ON OR AFTER
THE EFFECTIVE DATE OF THIS PARAGRAPH MAY APPLY TO THE
COMMISSION FOR REINSTATEMENT NO SOONER THAN ONE YEAR
FOLLOWING THE DATE OF REVOCATION.

(III) THE COMMISSION SHALL DEVELOP STANDARDS AND

1 GUIDELINES TO DETERMINE WHETHER CERTIFICATION OR APPROVAL
2 SHALL BE REINSTATED. SEPARATE STANDARDS SHALL BE
3 DEVELOPED FOR SUSPENSION AND REVOCATIONS.

4 * * *

5 (15) With respect to mandatory basic training:

6 (i) To grant waivers of mandatory basic training to
7 police officers who have successfully completed previous
8 equivalent training or who have acceptable full-time
9 ~~police~~ experience, or both. ←

10 (ii) To grant waivers of portions of mandatory basic
11 training to Federal law enforcement officers and military
12 police officers who have successfully completed previous
13 equivalent training. In order to be certified by the
14 commission, Federal law enforcement officers and military
15 police officers shall fulfill basic police training
16 requirements and meet the minimum standards required for
17 certification.

18 (16) TO ASSESS, IN CONSULTATION WITH THE DEPARTMENT OF ←
19 MILITARY AND VETERANS AFFAIRS, THE DEPARTMENT OF HEALTH AND
20 OTHER STATE, COMMUNITY OR LOCAL ORGANIZATIONS AND AGENCIES
21 THAT HAVE EXPERTISE IN THE FIELD OF TRAUMATIC BRAIN INJURY
22 (TBI) AND POST-TRAUMATIC STRESS DISORDER (PTSD), THE TRAINING
23 NEEDS OF POLICE OFFICERS ON RECOGNIZING AND INTERACTING WITH
24 VETERANS AND OTHER INDIVIDUALS SUFFERING FROM TBI OR PTSD.
25 SHOULD THE COMMISSION DETERMINE THAT THERE IS A NEED FOR
26 SPECIALIZED TRAINING ON TBI AND PTSD, THE COMMISSION SHALL
27 DEVELOP A TRAINING COURSE THAT SHALL BE MADE AVAILABLE TO ALL
28 POLICE OFFICERS AND LAW ENFORCEMENT AGENCIES WITHIN THIS
29 COMMONWEALTH.

30 Section 2. This act shall take effect in ~~60 days~~ ←

1 IMMEDIATELY.

