

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 1193** Session of  
2013

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INTRODUCED BY SACCONI, MAHONEY, GINGRICH, C. HARRIS, KNOWLES,  
MILLARD, MOUL, TOOHIL, HELM, DENLINGER, FARRY, MIRANDA,  
CALTAGIRONE AND MALONEY, APRIL 15, 2013

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AS AMENDED ON SECOND CONSIDERATION, IN SENATE, NOVEMBER 19, 2013

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## AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled  
2 "An act concerning townships of the first class; amending,  
3 revising, consolidating, and changing the law relating  
4 thereto," further providing for removals and for appointment,  
5 compensation and training of police officers.

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

8 Section 1. Section 644 of the act of June 24, 1931  
9 (P.L.1206, No.331), known as The First Class Township Code,  
10 reenacted and amended May 27, 1949 (P.L.1955, No.569) and  
11 amended July 7, 1983 (P.L.38, No.20) and May 9, 1984 (P.L.251,  
12 No.55), is amended to read:

13 Section 644. Removals.--(a) No person employed in any  
14 police or fire force of any township shall be suspended, removed  
15 or reduced in rank except for the following reasons: (1)  
16 physical or mental disability affecting his ability to continue  
17 in service, in which cases the person shall receive an honorable  
18 discharge from service; (2) neglect or violation of any official

1 duty; (3) violation of any law of this Commonwealth which  
2 provides that such violation constitutes a misdemeanor or  
3 felony; (4) inefficiency, neglect, intemperance, disobedience of  
4 orders, or conduct unbecoming an officer; (5) intoxication while  
5 on duty; (6) engaging or participating in conducting of any  
6 political or election campaign otherwise than to exercise his  
7 own right of suffrage[.], except that this clause shall only  
8 apply to a police officer while on duty or in uniform or while  
9 using any township property. A police officer may also be  
10 suspended, removed or reduced in rank for engaging or  
11 participating in ~~conducting~~ THE CONDUCT of any political or <--  
12 election campaign for an incompatible office pursuant to section  
13 1401. A person so employed shall not be removed for religious,  
14 racial or political reasons. A written statement of any charges  
15 made against any person so employed shall be furnished to such  
16 person within five days after the same are filed with the  
17 commission.

18 (b) If for reasons of economy or other reasons it shall be  
19 deemed necessary by any township to reduce the number of paid  
20 employes of the police or fire force, then such township shall  
21 [apply the following procedure: (a) if there are any employes  
22 eligible for retirement under the terms of any retirement or  
23 pension law, then such reduction in numbers shall be made by  
24 retirement if the party to be retired exceeds the maximum age as  
25 defined in the act of October 27, 1955 (P.L.744, No.222), known  
26 as the "Pennsylvania Human Relations Act"; (b) if the number of  
27 paid employes in the police or fire forces eligible to  
28 retirement is insufficient to effect the necessary reduction in  
29 numbers or if there are no persons eligible for retirement or if  
30 no retirement or pension fund exists, then the reduction shall

1 be effected by furloughing] furlough the person or persons,  
2 including probationers, last appointed to the respective force.  
3 Such removal shall be accomplished by furloughing in numerical  
4 order commencing with the person last appointed until such  
5 reduction shall have been accomplished. In the event the said  
6 police force shall again be increased, the employes furloughed  
7 shall be reinstated in the order of their seniority in the  
8 service. The provisions of this paragraph as to reductions in  
9 force shall not apply to any chief of police.

10 Section 2. Section 1401 of the act is amended to read:

11 Section 1401. Appointment, Compensation and Training of  
12 Policemen.--The board of township commissioners shall, subject  
13 to the civil service provisions of this act, appoint and fix the  
14 number, rank and compensation of the members of the township  
15 police force. No policeman shall at the same time hold any  
16 public office other than constable [and], health officer[.] or  
17 school board member OF A SCHOOL DISTRICT SITUATED WITHIN A <--  
18 COUNTY OF THE SECOND CLASS. A policeman, whether contracted or  
19 otherwise employed by a school district, who holds the public  
20 office of school director shall not be permitted to serve as a  
21 school police officer, as provided for in section 778 of the act  
22 of March 10, 1949 (P.L.30, No.14), known as the Public School  
23 Code of 1949, within the school district for which the policeman <--  
24 is elected to serve as school director. The board of  
25 commissioners shall prescribe all necessary rules and  
26 regulations for the organization of the police force. The board  
27 may assign the chief of police or any other member of the force  
28 to undergo a course of training at any training school for  
29 policemen, established and made available by the State or  
30 Federal Government, and may provide for the payment by the

1 township of his expenses while in attendance in such training  
2 school.

3 Section 3. This act shall take effect immediately.