

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 466 Session of 2017

INTRODUCED BY MARSHALL, COX, DOWLING, A. HARRIS, IRVIN, JAMES, KAUFER, KAUFFMAN, F. KELLER, KORTZ, MATZIE, METCALFE, MURT, ORTITAY, PEIFER, PICKETT, RADER, RAPP, READSHAW, ROAE, SACCONI, SNYDER, WARD, WENTLING, WHEELAND, CHRISTIANA, R. BROWN, MCGINNIS AND HARKINS, FEBRUARY 23, 2017

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 17, 2018

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in officers serving
3 process and enforcing orders, further providing for powers
4 and duties of the sheriff.

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

7 Section 1. Section 2921 of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 2921. Powers and duties of [the sheriff] sheriffs and deputy
10 sheriffs.

11 (a) Court duties.--The sheriff, either personally or by
12 deputy, shall serve process and execute orders directed to him
13 pursuant to law.

14 (b) Law enforcement.--~~Sheriffs~~ WHILE FULFILLING THEIR <--
15 RESPECTIVE COUNTY COURT RELATED OBLIGATIONS, SHERIFFS and deputy
16 sheriffs who have successfully completed the same type of
17 training as municipal police officers, including, but not

1 limited to, training and annual continuing education approved by
2 the Sheriff and Deputy Sheriff Education and Training Board
3 under the act of February 9, 1984 (P.L.3, No.2), known as the
4 Sheriff and Deputy Sheriff Education and Training Act, or 53
5 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education
6 and training) shall have and may exercise: <--

7 ~~(1) the same powers as municipal police officers to make~~
8 ~~arrests, without warrants, for all crimes and offenses,~~
9 ~~including, but not limited to, all violations under 18~~
10 ~~Pa.C.S. (relating to crimes and offenses), 75 Pa.C.S.~~
11 ~~(relating to vehicles) and the act of April 14, 1972~~
12 ~~(P.L.233, No.64), known as The Controlled Substance, Drug,~~
13 ~~Device and Cosmetic Act; and~~

14 ~~(2) the powers, duties, responsibilities and immunities~~
15 ~~conferred on municipal police officers generally and~~
16 ~~specifically under sections 8952 (relating to primary~~
17 ~~municipal police jurisdiction) and 8953 (relating to~~
18 ~~Statewide municipal police jurisdiction).~~ AND MAY EXERCISE <--

19 THE SAME POWERS AS MUNICIPAL POLICE OFFICERS TO MAKE ARRESTS,
20 WITHOUT WARRANTS, FOR ALL CRIMES AND OFFENSES, INCLUDING, BUT
21 NOT LIMITED TO, ALL VIOLATIONS UNDER 18 PA.C.S. (RELATING TO
22 CRIMES AND OFFENSES), 75 PA.C.S. (RELATING TO VEHICLES) AND
23 THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS THE
24 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT.

25 Section 2. This act shall take effect immediately.