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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 860 Session of  
2017

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INTRODUCED BY GROVE, O'NEILL, READSHAW, SCHLOSSBERG, COX, FLYNN,  
SAYLOR AND PHILLIPS-HILL, MARCH 16, 2017

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REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 16, 2017

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AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employes in certain departments, boards,  
17 and commissions; and prescribing the manner in which the  
18 number and compensation of the deputies and all other  
19 assistants and employes of certain departments, boards and  
20 commissions shall be determined," in powers and duties of the  
21 Governor and other constitutional officers and of the  
22 Executive Board and of the Pennsylvania State Police,  
23 providing for State trooper services contractual program.

24 The General Assembly of the Commonwealth of Pennsylvania

25 hereby enacts as follows:

26 Section 1. The act of April 9, 1929 (P.L.177, No.175), known  
27 as The Administrative Code of 1929, is amended by adding a  
28 section to read:

1 Section 714. State Trooper Services Contractual Program.--

2 (a) This section shall apply to a municipality and adjacent  
3 municipalities that:

4 (1) currently have or, prior to January 1, 2013, had an  
5 organized police force or contracted police coverage through a  
6 regional or municipal police department; and

7 (2) disband their organized police force or eliminate their  
8 contracted police services.

9 (b) If subsection (a) applies, the municipality or adjacent  
10 municipalities shall:

11 (1) enter into an agreement with the Pennsylvania State  
12 Police for State trooper services; and

13 (2) agree to pay for the State trooper services.

14 (c) In order to implement this section, the Commissioner of  
15 the Pennsylvania State Police shall enter into agreements with  
16 boroughs and townships for the furnishing of police protection  
17 by one or more State troopers on a contractual basis at agreed-  
18 upon hours and locations.

19 (d) Moneys paid for the services under this section shall be  
20 credited to a restricted account and used for the express  
21 purpose of financing the services for which the contract price  
22 was paid.

23 (e) For every two thousand hours annually contracted under  
24 this section, one full-time State trooper shall not be counted  
25 in determining the total number of officers and enlisted members  
26 in the Pennsylvania State Police.

27 (f) A municipality with an agreement with the Pennsylvania  
28 State Police for State trooper services before the effective  
29 date of this section shall not be required to enter into a new  
30 agreement in accordance with this section until one year after

1 the effective date of this section.

2 (g) An agreement entered into prior to the effective date of  
3 this section shall expire within one year of the effective date  
4 of this section. Upon the expiration of an agreement under this  
5 section, the following shall apply:

6 (1) The Pennsylvania State Police shall maintain its level  
7 of State trooper services under the expired agreement if the  
8 municipality fails to enter into a new agreement under this  
9 section with the Pennsylvania State Police for State trooper  
10 services or a regional or municipal police department for police  
11 services.

12 (2) If the Pennsylvania State Police provides State trooper  
13 services under paragraph (1), the municipality shall finance the  
14 State trooper services by the highest amount as specified in an  
15 agreement with a municipality of similar population size as  
16 determined by the Commissioner of the Pennsylvania State Police.  
17 If the Pennsylvania State Police has not entered into a contract  
18 with a municipality of similar population size, the municipality  
19 shall finance the State trooper services by the highest amount  
20 as specified in an agreement between a municipality of similar  
21 population size and a regional or municipal police department  
22 for police services in the same county.

23 (h) If the municipality fails to enter into a new agreement  
24 under this section with the Pennsylvania State Police for State  
25 trooper services or a regional or municipal police department  
26 for police services after three months from the date of the  
27 expiration of an agreement under this section, the Commissioner  
28 of the Pennsylvania State Police may assess additional fees on  
29 the municipality as necessary to maintain current State trooper  
30 services until the municipality enters into a new agreement

1 under this section with the Pennsylvania State Police for State  
2 trooper services or a regional or municipal police department  
3 for police services.

4 (i) The Pennsylvania State Police shall promulgate rules and  
5 regulations as may be necessary to implement this section and  
6 the contractual agreements authorized by this section. The rules  
7 and regulations shall:

8 (1) Require that, as a prerequisite to contracting for the  
9 services of a State trooper, a municipality or adjacent  
10 municipalities shall adopt a resolution or ordinance authorizing  
11 the contractual arrangement with the Pennsylvania State Police  
12 for the payment by the municipality or adjacent municipalities  
13 of the costs incurred in connection with the provision of the  
14 services under this section.

15 (2) Require State troopers to remain under the direct  
16 control of the Pennsylvania State Police with supervision to be  
17 provided by the commanding officer of the field installation  
18 having jurisdiction over the municipality or adjacent  
19 municipalities contracting for the State trooper services.

20 (3) Require that all organizational orders, regulations and  
21 directives by the Pennsylvania State Police apply with full  
22 force to the assigned State troopers.

23 (4) Prohibit the commanding officer of the field  
24 installation from removing a State trooper assigned under this  
25 section from the officer's area of jurisdiction during assigned  
26 hours except in cases of emergency, in which case the governing  
27 body of the contracting municipality or adjacent municipalities  
28 shall be notified.

29 (5) Require State troopers to enforce 75 Pa.C.S. (relating  
30 to vehicles), criminal laws of this Commonwealth and local

1 ordinances regarding public safety pursuant to the agreement  
2 with the municipality or adjacent municipalities.

3 Section 2. This act shall take effect immediately.