
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1619 Session of
2017

INTRODUCED BY MICCARELLI, SCHLOSSBERG, SANTORA, ROZZI, CHARLTON,
DERMODY, READSHAW, DeLUCA, O'NEILL, D. COSTA, WHEELAND AND
ROEBUCK, JUNE 28, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 28, 2017

AN ACT

1 Imposing a fee on municipalities for services provided by the
2 Pennsylvania State Police; and providing for allocation of
3 funds and for penalties.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pennsylvania
8 State Police Municipal Police Services Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Commissioner." The Commissioner of Pennsylvania State
14 Police.

15 "Local police services." The provision of not less than 40
16 hours per week of police services through a municipal police
17 department, participation in a regional police department or a
18 contract for other municipal or regional police services.

1 "State Police." The Pennsylvania State Police.

2 Section 3. State Police services fee.

3 (a) General rule.--A municipality that does not provide
4 local police services shall pay the fee under subsection (b) for
5 State Police services received by the municipality.

6 (b) Amount.--A municipality under subsection (a) shall
7 annually pay a per capita fee for the provision of State Police
8 services. The fee shall be in the amount of \$25 for each person
9 residing in the municipality. The fee shall be increased
10 annually, beginning one year after the effective date of this
11 subsection, by the percentage growth in the Consumer Price Index
12 for All Urban Consumers. If the Department of Revenue determines
13 that there is no positive percentage change, the fee may not be
14 adjusted for that year.

15 (c) Determination and payment.--

16 (1) In order to aid the commissioner in making a
17 determination regarding the provision of local police
18 services, each municipality shall submit a certification to
19 the commissioner by July 31, 2017, for fiscal year 2017-2018
20 and by April 1 of each year thereafter. The certification
21 shall include the following information:

22 (i) The average number of hours per week the
23 municipality provides police services through its
24 municipal police department.

25 (ii) The average number of hours per week a regional
26 police force or another municipality provides police
27 services to the municipality.

28 (2) The commissioner shall submit annually to each
29 municipality under subsection (a) an invoice stating the
30 amount of payment due. The payment shall be due by April 1,

1 2018, and each April 1 thereafter. Subject to paragraph (3),
2 the population of each municipality shall be based upon the
3 most recent decennial census.

4 (3) For purposes of determining the population of a
5 municipality under paragraph (2), the number of individuals
6 residing in a State correctional facility situated in the
7 municipality shall be excluded.

8 (d) Guidelines.--The State Police may adopt and use
9 guidelines to implement the provisions of this act. The
10 guidelines shall be published in the Pennsylvania Bulletin but
11 shall not be subject to review under section 205 of the act of
12 July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth
13 Documents Law, sections 204(b) and 301(10) of the act of October
14 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys
15 Act, or the act of June 25, 1982 (P.L.633, No.181), known as the
16 Regulatory Review Act.

17 Section 4. Municipality fees.

18 Notwithstanding any other provision of law, a municipality
19 may impose and collect a fee at a rate not to exceed a rate
20 sufficient to meet the requirements under section 3(b).

21 Section 5. Allocation of fees.

22 Money collected under this act shall be deposited into the
23 General Fund as an augmentation to the State Police general
24 government operations appropriation and shall be used to support
25 State Police cadet classes and State Police services.

26 Section 6. Distressed municipalities.

27 Notwithstanding any other provision of this act, a
28 municipality that is determined to be distressed under the act
29 of July 10, 1987 (P.L.246, No.47), known as the Municipalities
30 Financial Recovery Act, shall not be subject to the requirements

1 of this act. A municipality that was once classified as
2 distressed under the Municipalities Financial Recovery Act, but
3 is not currently deemed distressed by the Department of
4 Community and Economic Development, shall be subject to the
5 requirements of this act.

6 Section 7. Penalties.

7 The Commonwealth reserves the right to offset other payments
8 to a municipality, including liquid fuel tax payments, if a
9 municipality fails to comply with the requirements of this act.

10 Section 8. Effective date.

11 This act shall take effect immediately.