

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1297 Session of 2023

INTRODUCED BY A. BROWN, BRENNAN, ROZZI, NEILSON, HILL-EVANS, BURGOS, DELLOSO, BULLOCK, GREEN AND SANCHEZ, JUNE 2, 2023

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 27, 2023

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in employees, providing for ballistic
3 armor requirements for law enforcement officers. <--

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

6 Section 1. Title 53 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 2173. Ballistic armor requirements for law enforcement <--
9 officers.

10 (a) Ballistic armor required.--Except as provided under <--

11 subsection (b), the THE commission shall require a law <--

12 enforcement officer AGENCY, in collaboration with any applicable <--

13 State or local agency, to be equipped with ballistic armor THAT <--

14 MAY BE USED BY LAW ENFORCEMENT OFFICERS while engaging in

15 criminal or traffic law enforcement duties. The ballistic armor

16 shall meet all of the following criteria:

17 (1) The ballistic armor shall be TYPE II, Type IIIA, <--

18 Type III or Type IV on the effective date of this section.

1 (2) The ballistic armor shall be certified by the
2 National Institute of Justice within the United States
3 Department of Justice on the effective date of this section.

4 (3) The ballistic armor shall not be expired.

5 ~~(b) Exception. A law enforcement officer employed to check <--~~
6 ~~parking meters or to perform only administrative duties and~~
7 ~~auxiliary and fire police shall be exempt from the ballistic~~
8 ~~armor requirement under subsection (a).~~

9 ~~(c) (B) Training.--The commission shall provide training to <--~~
10 ~~a law enforcement officer on the proper use of ballistic armor,~~
11 ~~the different classifications of ballistic armor provided by the~~
12 ~~National Institute of Justice within the United States~~
13 ~~Department of Justice and when a law enforcement officer should~~
14 ~~wear additional ballistic armor.~~

15 ~~(d) Definition. As used in this section, the term "law <--~~
16 ~~enforcement officer" shall mean any of the following:~~

17 ~~(1) A member of the Pennsylvania State Police.~~

18 ~~(2) Any enforcement officer or investigator employed by~~
19 ~~the Pennsylvania Liquor Control Board.~~

20 ~~(3) A parole agent of the Department of Corrections.~~

21 ~~(4) A Capitol Police officer.~~

22 ~~(5) A Department of Conservation and Natural Resources~~
23 ~~ranger.~~

24 ~~(6) A drug enforcement agent of the Office of Attorney~~
25 ~~General whose principal duty is the enforcement of the drug~~
26 ~~laws of this Commonwealth and a special agent of the Office~~
27 ~~of Attorney General whose principal duty is the enforcement~~
28 ~~of the criminal laws of this Commonwealth.~~

29 ~~(7) Any member of a port authority or other authority~~
30 ~~police department.~~

1 ~~(8) Any police officer of a county, region, city,~~
2 ~~borough, town or township.~~

3 ~~(9) Any sheriff or deputy sheriff.~~

4 ~~(10) A member of the Pennsylvania Fish Commission.~~

5 ~~(11) A Pennsylvania Wildlife Conservation Officer.~~

6 ~~(12) A member of a campus police force with the power to~~
7 ~~arrest under section 2416 of the act of April 9, 1929~~

8 ~~(P.L.177, No.175), known as The Administrative Code of 1929.~~

9 ~~As used in this paragraph, the term "campus police" has the~~

10 ~~meaning given in section 302 of the act of November 29, 2004~~

11 ~~(P.L.1383, No.180), known as the Uniform Crime Reporting Act.~~

12 ~~(13) A member of the Fort Indiantown Gap Police Force.~~

13 (C) DEFINITION.--AS USED IN THIS SECTION, THE TERM "LAW <--

14 ENFORCEMENT OFFICER" SHALL HAVE THE SAME MEANING AS THE TERM

15 "PEACE OFFICER" UNDER 18 PA.C.S. § 501 (RELATING TO DEFINITIONS)

16 AND SHALL ALSO INCLUDE CAMPUS POLICE OFFICERS OF ANY PRIVATE OR

17 PUBLIC COLLEGE OR UNIVERSITY.

18 Section 2. This act shall take effect in 60 days.