
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 836 Session of
2023

INTRODUCED BY FARRY, SCHWANK AND REGAN, JUNE 20, 2023

REFERRED TO LAW AND JUSTICE, JUNE 20, 2023

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in employees, further providing for
3 definitions and for powers and duties of commission.

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

6 Section 1. The definition of "certification" in section 2162
7 of Title 53 of the Pennsylvania Consolidated Statutes is amended
8 and the section is amended by adding definitions to read:

9 § 2162. Definitions.

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

13 "Approval." The assignment of an approval number to an
14 instructor or school director who meets the requirements
15 established by the commission.

16 "Certification." The assignment of a certification number to
17 a police officer after successful completion of a mandatory
18 basic training course or receipt of a waiver of basic training
19 from the commission and successful completion of mandatory in-

1 service training. Certification is for a period of not more than
2 two years.

3 * * *

4 "Instructor." An individual approved by the commission to
5 teach in a basic police training course or an in-service police
6 training course.

7 * * *

8 "School director." An individual who is approved by the
9 commission and responsible for the daily operations of a
10 training school or academy which provides a basic police
11 training course within the functional organization of a police
12 department or departments or any educational facility in this
13 Commonwealth.

14 * * *

15 Section 2. Section 2164(3) and (3.1) of Title 53 are amended
16 and the section is amended by adding a paragraph to read:

17 § 2164. Powers and duties of commission.

18 The powers and duties of the commission shall be as follows:

19 * * *

20 (3) To establish the minimum qualifications for
21 instructors and school directors, to approve or revoke the
22 approval of any instructor or school director and to develop
23 the requirements for continued [**certification**] approval.

24 (3.1) To suspend or revoke the certification of a police
25 officer or the approval of an instructor or school director
26 for a violation of 37 Pa. Code Ch. 203 (relating to
27 administration of the program). The following shall apply:

28 (i) In the case of a suspension, a hearing examiner
29 appointed by the commission shall recommend to the
30 commission whether the certification of a police officer

1 or the approval of an instructor or school director shall
2 be suspended. If the certification or approval is
3 suspended, the hearing examiner shall recommend a period
4 of suspension which may be approved by the commission. At
5 the end of the period of suspension, the police officer
6 [or], instructor or school director may reapply for
7 certification or approval.

8 (ii) A police officer [or], instructor or school
9 director whose certification or approval is revoked
10 before, on or after the effective date of this paragraph
11 may apply to the commission for reinstatement no sooner
12 than one year following the date of revocation.

13 (iii) The commission shall develop standards and
14 guidelines to determine whether certification or approval
15 shall be reinstated. Separate standards shall be
16 developed for suspension and revocations.

17 * * *

18 (7.1) To require any individual applying to the
19 commission to attend basic police training at a school, or an
20 individual applying to the commission for certification as a
21 police officer or any individual applying to the commission
22 for approval as an instructor or school director to submit
23 fingerprints and other identifying information to the
24 Pennsylvania State Police. The Pennsylvania State Police
25 shall submit the fingerprints to the Federal Bureau of
26 Investigation for the purpose of a national criminal record
27 check and the Pennsylvania State Police shall check the
28 fingerprints against the Pennsylvania State Police central
29 repository for the purposes of obtaining a criminal history
30 record check. The following shall apply:

1 (i) Any criminal history information obtained under
2 this section by the commission may be considered only to
3 the extent to which it relates to the person's
4 suitability to attend basic police training or to be
5 certified as a police officer or approved to be an
6 instructor or school director.

7 (ii) The provisions of 18 Pa.C.S. § 9121(b)
8 (relating to general regulations) shall not apply to a
9 request for a criminal history record check submitted
10 under this section.

11 * * *

12 Section 3. This act shall take effect in 60 days.