
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 145 Session of
2003

INTRODUCED BY DENT, PICCOLA, MOWERY, RAFFERTY, TARTAGLIONE,
COSTA, LAVALLE, KITCHEN, BOSCOLA, WOZNIAK AND WAUGH,
FEBRUARY 3, 2003

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
DECEMBER 15, 2003

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for municipal police
3 education and training definitions, training, ~~certification~~ ←
4 and reimbursement.

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

7 Section 1. The definitions of "police department" and
8 "police officer" in section 2162 of Title 53 of the Pennsylvania
9 Consolidated Statutes are amended to read:

10 § 2162. Definitions.

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

14 * * *

15 "Police department." Any of the following:

16 (1) A public agency of a political subdivision having
17 general police powers and charged with making arrests in

1 connection with the enforcement of the criminal or traffic
2 laws. This paragraph includes the sheriff's office in a
3 county of the second class.

4 (2) A campus police or university police department, as
5 used in section 2416 of the act of April 9, 1929 (P.L.177,
6 No.175), known as The Administrative Code of 1929, certified
7 by the Office of Attorney General as a criminal justice
8 agency under the definition of "criminal justice agency" in
9 18 Pa.C.S. § 9102 (relating to definitions). This paragraph
10 does not include a campus police or university police
11 department of the State System of Higher Education and its
12 member institutions.

13 (3) A railroad or street railway police department
14 formed with officers commissioned under 22 Pa.C.S. Ch. 33
15 (relating to railroad and street railway police) or any prior
16 statute providing for such commissioning.

17 (4) The Capitol Police.

18 (5) The Harrisburg International Airport Police.

19 (6) An airport authority police department.

20 "Police officer." Any of the following:

21 (1) A full-time or part-time employee [of a], assigned
22 to criminal or traffic law enforcement duties, of any of the
23 following:

24 (i) A police department of a county, city, borough,
25 town[,] or township[,].

26 (ii) Any railroad or street railway police[,].

27 (iii) Any campus [police] or university police [or
28 county police] department [assigned to criminal or
29 traffic law enforcement duties; any].

30 (iv) The Capitol Police.

1 (v) The Harrisburg International Airport Police.

2 (vi) An airport authority police department.

3 (2) A deputy sheriff of a county of the second class,; <—
4 ~~and, for].~~ <—

5 ~~(3) For the purpose of training only, a security~~
6 ~~[officers] officer of a first class or second class city~~
7 ~~housing authority. AND, FOR THE PURPOSE OF TRAINING ONLY,]~~ <—

8 (3) A SECURITY [OFFICERS] OFFICER OF A FIRST CLASS CITY
9 HOUSING AUTHORITY OR A POLICE OFFICER OF A SECOND CLASS CITY
10 HOUSING AUTHORITY.

11 The term excludes persons employed to check parking meters or to
12 perform only administrative duties and auxiliary and fire
13 police.

14 * * *

15 Section 2. Section 2166.1 of Title 53 is repealed.

16 Section 3. Sections 2167(b) and (c), ~~2168(b)~~ and 2170(e) of <—
17 Title 53 are amended to read:

18 § 2167. Police training.

19 * * *

20 (b) Ineligibility for compensation.--Any person hired as a
21 police officer [by any municipality or group of municipalities
22 acting in concert or by any college or university] shall be
23 ineligible to receive any salary, compensation or other
24 consideration for the performance of duties as a police officer
25 unless the person has met all of the requirements as established
26 by the commission and has been duly certified as having met
27 those requirements by the commission.

28 (c) Penalty.--Any [official of any municipality or of any
29 college or university] person who orders, authorizes or pays as
30 salary to a person in violation of the provisions of this

1 subchapter commits a summary offense and shall, upon conviction,
2 be sentenced to pay a fine of \$100 or be imprisoned for a term
3 not to exceed a period of 30 days. The commission may stop
4 payment of all funds paid or payable to municipalities under
5 this subchapter for any violation of this subchapter. It shall
6 notify the State Treasurer to discontinue disbursement of any
7 State funds until a municipality is in compliance with this
8 subchapter.

9 ~~§ 2168. Automatic certification.~~ <—

10 * * *

11 ~~(b) [Campus or university police] Police officers. Any~~
12 ~~[campus or university] police officer who, as of August 27,~~
13 ~~1993, has successfully completed a basic training course similar~~
14 ~~to that required under this subchapter shall, after review by~~
15 ~~the commission, be certified as having met the basic training~~
16 ~~requirements of this subchapter. Any [campus or university]~~
17 ~~police officer who, as of August 27, 1993, has not successfully~~
18 ~~completed a basic training course similar to that required under~~
19 ~~this subchapter which qualifies the police officer for~~
20 ~~certification under this subsection shall be able to perform the~~
21 ~~duties of a [campus or university] police officer until~~
22 ~~certified by the commission, but no later than August 29, 1994.~~

23 * * *

24 § 2170. Reimbursement of expenses.

25 * * *

26 (e) Payment of mandatory in-service training.--[The]

27 (1) Except as set forth in paragraph (2), the commission
28 may pay for the cost of mandatory in-service training for all
29 police officers to the extent determined by the commission.

30 [However,]

1 (2) All of the following shall be ineligible for
2 reimbursement of any expense under this section incurred
3 during their police officer training:

4 (i) A college[,] or university[, railroad and street
5 railway police shall not be eligible for reimbursement of
6 any expense under this section].

7 (ii) Railroad and street railway police.

8 (iii) The Capitol Police.

9 (iv) The Harrisburg International Airport Police.

10 (v) An airport authority police department.

11 (VI) A HOUSING AUTHORITY SECURITY OR POLICE <—

12 DEPARTMENT.

13 SECTION 4. THIS ACT SHALL APPLY TO POLICE OFFICERS REQUIRED <—
14 BY THIS ACT TO OBTAIN CERTIFICATION UNDER 42 PA.C.S. CH. 21
15 SUBCH. D (RELATING TO MUNICIPAL POLICE AND TRAINING) AS FOLLOWS:

16 (1) A POLICE OFFICER WHO, AS OF THE EFFECTIVE DATE OF
17 THIS SECTION, HAS SUCCESSFULLY COMPLETED A BASIC TRAINING
18 COURSE SIMILAR TO THAT REQUIRED UNDER 42 PA.C.S. CH. 21
19 SUBCH. D SHALL, AFTER REVIEW BY THE MUNICIPAL POLICE
20 OFFICERS' EDUCATION AND TRAINING COMMISSION, BE CERTIFIED AS
21 HAVING MET THE BASIC TRAINING REQUIREMENTS OF 42 PA.C.S. CH.
22 21 SUBCH. D.

23 (2) A POLICE OFFICER WHO, AS OF THE EFFECTIVE DATE OF
24 THIS SECTION, HAS NOT SUCCESSFULLY COMPLETED A BASIC TRAINING
25 COURSE SIMILAR TO THAT REQUIRED UNDER 42 PA.C.S. CH. 21
26 SUBCH. D AND IS, FOR THAT REASON, NOT QUALIFIED FOR
27 CERTIFICATION UNDER PARAGRAPH (1), SHALL BE ABLE TO PERFORM
28 THE DUTIES OF A POLICE OFFICER FOR ONE YEAR FROM THE
29 EFFECTIVE DATE OF THIS SECTION. BY THE END OF THAT YEAR, THE
30 POLICE OFFICER MUST BE CERTIFIED UNDER PARAGRAPH (1).

1 Section 4 5. This act shall take effect as follows: ←—
2 (1) The repeal of 53 Pa.C.S. § 2166.1 shall take effect
3 immediately.
4 (2) This section shall take effect immediately.
5 (3) The remainder of this act shall take effect in 60
6 days.