

No. 2003-65

AN ACT

SB 145

Amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for municipal police education and training definitions, training and reimbursement.

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

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

§ 2162. Definitions.

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

* * *

"Police department." Any of the following:

(1) A public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal or traffic laws. This paragraph includes the sheriff's office in a county of the second class.

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

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

(4) *The Capitol Police.*

(5) *The Harrisburg International Airport Police.*

(6) *An airport authority police department.*

"Police officer." Any of the following:

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

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

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

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

(iv) *The Capitol Police.*

(v) *The Harrisburg International Airport Police.*

(vi) *An airport authority police department.*

(2) *A deputy sheriff of a county of the second class. [; and, for the purpose of training only.]*

(3) *A security [officers] officer of a first class city housing authority or a police officer of a second class city housing authority.*

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

* * *

Section 2. Section 2166.1 of Title 53 is repealed.

Section 3. Sections 2167(b) and (c) and 2170(e) of Title 53 are amended to read:

§ 2167. Police training.

* * *

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

(c) **Penalty.**—Any [official of any municipality or of any college or university] *person* who orders, authorizes or pays as salary to a person in violation of the provisions of this subchapter commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100 or be imprisoned for a term not to exceed a period of 30 days. The commission may stop payment of all funds paid or payable to municipalities under this subchapter for any violation of this subchapter. It shall notify the State Treasurer to discontinue disbursement of any State funds until a municipality is in compliance with this subchapter.

§ 2170. Reimbursement of expenses.

* * *

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

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

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

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

(ii) *Railroad and street railway police.*

(iii) *The Capitol Police.*

(iv) *The Harrisburg International Airport Police.*

(v) *An airport authority police department.*

(vi) *A housing authority security or police department.*

Section 4. This act shall apply to police officers required by this act to obtain certification under 42 Pa.C.S. Ch. 21 Subch. D as follows:

(1) A police officer who, as of the effective date of this section, has successfully completed a basic training course similar to that required under 42 Pa.C.S. Ch. 21 Subch. D shall, after review by the Municipal Police Officers' Education and Training Commission, be certified as having met the basic training requirements of 42 Pa.C.S. Ch. 21 Subch. D.

(2) A police officer who, as of the effective date of this section, has not successfully completed a basic training course similar to that required under 42 Pa.C.S. Ch. 21 Subch. D and is, for that reason, not qualified for certification under paragraph (1) shall be able to perform the duties of a police officer for one year from the effective date of this section. By the end of that year, the police officer must be certified under paragraph (1).

Section 5. This act shall take effect as follows:

(1) The repeal of 53 Pa.C.S. § 2166.1 shall take effect immediately.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

APPROVED—The 30th day of December, A.D. 2003.

EDWARD G. RENDELL