

No. 2014-18

AN ACT

HB 374

Amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction, education and educational costs of county park police officers.

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

Section 1. The General Assembly finds and declares as follows:

(1) The county park police force established by a county of the third class under section 2511 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, has been granted the power to enforce the laws of this Commonwealth and otherwise perform the functions of that office anywhere within the primary jurisdiction of that force.

(2) By participating in the program under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training), the officers of the county park police force will receive certification and training to enhance the performance of the powers of the office.

Section 1.1. The definition of "primary jurisdiction" in section 8951 of Title 42 of the Pennsylvania Consolidated Statutes, amended November 24, 2004 (P.L.1243, No.152), amendment declared unconstitutional subject to a 90-day stay effective December 16, 2013, *Commonwealth v. Neiman*, No.74 MAP 2011 (Pa. 2013), is reenacted to read:

§ 8951. Definitions.

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

* * *

"Primary jurisdiction." The geographical area within the territorial limits of a municipality or any lawful combination of municipalities which employs a municipal police officer and, in the case of a county of the third class that has established a county park police force in accordance with the provisions of section 2511 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, the geographical area designated by ordinance of its board of county commissioners as the jurisdictional area for the county park police.

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Section 1.2. The definitions of "police department" and "police officer" in section 2162 of Title 53 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.

(7) A county park police force under section 2511(b) of the act of August 9, 1955 (P.L.323, No.130), known as The County Code.

"Police officer." Any of the following:

(1) A full-time or part-time employee 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 or university police department.

(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.

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

(4) A county park police officer.

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

Section 2. Section 2170 of Title 53 is amended by adding a subsection to read:

§ 2170. Reimbursement of expenses.

(a.1) County park police.—A municipality shall be ineligible for reimbursement for tuition and expenses for the certified basic training of county park police.

Section 3. Section 2171 of Title 53 is amended to read:

§ 2171. Payment of certain county costs.

(a) *Second class counties.*—Counties of the second class shall be liable for costs incurred for the certification of deputy sheriffs. The costs shall not exceed the sum per police officer assessed against municipalities.

(b) *Counties generally.*—***Counties shall be liable for the costs incurred for any training required for the certification of county park police officers.***

Section 4. This act shall take effect as follows:

- (1) The following provisions shall take effect immediately:
 - (i) Section 1 of this act.
 - (ii) The reenactment of the definition of "primary jurisdiction" in 42 Pa.C.S. § 8951.
 - (iii) This section.
- (2) The remainder of this act shall take effect in 90 days.

APPROVED—The 14th day of March, A.D. 2014

TOM CORBETT