

## No. 120

## AN ACT

## HB 531

Creating the Municipal Police Officers' Education and Training Commission; providing for the commission's membership, selection, compensation, and removal; providing for the powers and duties of the commission; providing for the appointment and duties of the chairman; providing for the act's applicability to the civil service laws; requiring training by certain political subdivisions and police departments; providing penalties for violation thereof; and making an appropriation.

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

**Section 1. Municipal Police Officers' Education and Training Program.**—The commission shall establish a Municipal Police Officers' Education and Training Program in accordance with the provisions of this act. The administration of this program shall be the responsibility of the Pennsylvania State Police.

**Section 2. Definitions.**—As used in this act:

(1) "Commission" means the Municipal Police Officers' Education and Training Commission.

(2) "School" means a training school or academy which provides a basic police training course within the functional organization of a police department or departments or any educational facility within the Commonwealth of Pennsylvania.

(3) "Police officer" means any full-time or part-time employe, of a city, other than a city of the first class, borough, town, township or county police department assigned to criminal and/or traffic law enforcement duties, but shall exclude persons employed to check parking meters and/or to perform only administrative duties, auxiliary and fire police.

(4) "Police department" means any public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal and/or traffic laws.

(5) "Commissioner" means the Commissioner of the Pennsylvania State Police.

(6) "Political subdivision" means any county, city, other than a city of the first class, borough, incorporated town or township.

**Section 3. The Municipal Police Officers' Education and Training Commission; Creation.**—There is hereby created a Municipal Police Officers' Education and Training Commission.

**Section 4. Commission Members; Selection, Compensation and Removal.**—(a) The commission shall be composed of seventeen members as follows:

- (1) The Secretary of the Department of Community Affairs.
  - (2) The Attorney General of the Commonwealth.
  - (3) The Commissioner of the Pennsylvania State Police, who shall serve as chairman of the commission.
  - (4) A member of the Senate of Pennsylvania, to be appointed by the President pro tempore of the Senate.
  - (5) A member of the Pennsylvania House of Representatives, to be appointed by the Speaker of the House of Representatives.
  - (6) Three elected officials of the various political subdivisions of the Commonwealth, to be appointed by the Governor; one to be a borough official, one a township official, and one a city official.
  - (7) Four incumbent chiefs of police from the various political subdivisions of the Commonwealth, to be appointed by the Governor; at least one to be a chief of a borough police department, at least one to be a chief of a township police department, at least one to be a chief of a city police department.
  - (8) One Federal Bureau of Investigation special agent-in-charge to be appointed by the Governor.
  - (9) One educator qualified in the field of law enforcement, to be appointed by the Governor.
  - (10) One member representing the public at large, to be appointed by the Governor.
  - (11) Two noncommissioned police officers to be appointed by the Governor.
- (b) All members of the commission appointed by the Governor shall serve for a period of three years except that upon the effective date of this act, the Governor shall appoint two police chiefs for a period of three years, one police chief for a period of two years, and one police chief for a period of one year. Any member of the commission shall, immediately upon termination of his holding of the position by virtue of which he was eligible for membership or appointed as a member of the commission, cease to be a member of said commission.
- (c) A member appointed to fill a vacancy created by other than expiration of a term shall be appointed for the unexpired term of the member whom he is to succeed in the same manner as the original appointment.
- (d) The members of the commission shall serve without compensation but shall be reimbursed the necessary and actual expenses incurred in attending the meetings of the commission and in the performance of their duties under this act.
- (e) Members of the commission may be removed by the Governor for cause after written notice from the Governor.

Section 5. Powers and Duties of the Commission.—The powers and duties of the commission shall be as follows:

- (1) To establish the minimum courses of study and training for municipal police officers.

(2) To establish courses of study and in-service training for municipal police officers appointed prior to the effective date of this act.

(3) To approve or revoke the approval of any school which may be utilized to comply with the educational and training requirements as established by the commission.

(4) To establish the minimum qualifications for instructors.

(5) To promote the most efficient and economical program for police training by utilizing existing facilities, programs and qualified State, local and Federal police personnel.

(6) To make an annual report to the Governor and to the General Assembly concerning (i) the administration of the Municipal Police Officers' Education and Training Program, and (ii) the activities of the commission, together with recommendations for executive or legislative action necessary for the improvement of law enforcement and the administration of justice.

Section 6. Powers and Duties of the Commissioner.—The duties of the commissioner shall be as follows:

(1) To implement and administer the minimum courses of study and training for municipal police officers as set by the commission.

(2) To issue certificates of approval to schools approved by the commission and to withdraw certificates of approval from those schools disapproved by the commission.

(3) To certify instructors pursuant to the minimum qualifications established by the commission.

(4) To implement and administer courses of study and in-service training for municipal police officers appointed prior to the effective date of this act as established by the commission.

(5) To consult, and cooperate with, universities, colleges, community colleges and institutes for the development of specialized courses for municipal police officers.

(6) To consult and cooperate with, departments and agencies of this Commonwealth and other states and the Federal Government concerned with police training.

(7) To certify police officers who have satisfactorily completed basic educational and training requirements as established by the commission and to issue appropriate certificates to such police officers.

(8) To visit and inspect approved schools at least once a year.

(9) To make such rules and regulations and to perform such other duties as may be reasonably necessary or appropriate to implement the education and training program for police officers.

Section 7. Meetings; Quorum.—The chairman shall summon the members of the commission to the first meeting within one hundred twenty days of enactment. The commission shall meet at least four times each year. Special meetings may be called by the chairman of the commission, or upon written request of five members. A quorum shall consist of nine members of the commission.

Section 8. Applicability to the Civil Service Laws.—Nothing in this act shall be construed to exempt any police officer or other officer or employe from the provisions of the existing civil service laws or the tenure act.

Section 9. Police Training Mandatory; Penalties.—All political subdivisions of the Commonwealth or groups of political subdivisions acting in concert shall be required to train all members of their police departments hired by them after the effective date of this act, pursuant to the provisions of this act.

Any person hired as a municipal police officer by any political subdivision or group thereof acting in concert after the effective date of this act shall be at the end of one year from the date of his employment ineligible to receive any salary, compensation or other consideration or thing of value for the performance of his duties as a police officer unless he has met all of the requirements as established by the Municipal Police Officers' Education and Training Commission and has been duly certified as having met those requirements by the commissioner, unless the police officer is granted additional time to complete his training by the commissioner. However, such persons hired as a municipal police officer will be given a grace period of two years from the effective date of this act before he becomes ineligible to receive salary, compensation or other consideration of thing of value.

Any official of any political subdivision who orders, authorizes or pays as salary to a person in violation of the provisions of this act shall on summary conviction thereof be sentenced to pay a fine of one hundred dollars (\$100) or be imprisoned for a term not to exceed a period of thirty days.

Section 10. Reimbursement of Expenses.—(a) The commission, through the commissioner, shall provide for reimbursement to each political subdivision of one hundred per cent of the allowable tuition and the ordinary and necessary living and travel expenses incurred by their officers while attending certified municipal police basic training schools, providing said political subdivision adheres to the training standards established by the commission. The regular salary of police officers while attending approved schools, within the meaning of this act, shall be paid by the employing political subdivision. Fifty per cent of the regular salaries of police officers while attending approved schools within the meaning of the act shall be reimbursed by the commission to the employing political subdivision. This act shall not be construed to preclude the employing political subdivision from applying for grants from the Governor's Justice Commission under the Omnibus Crime Control and Safe Streets Act of 1968 for the payment of salary to a substitute police officer while the permanent officer is attending such school.

(b) The commission, through the commissioner, shall provide grants as a reimbursement for actual expenses incurred by political

subdivisions of the Commonwealth for the providing of training programs to policemen from other jurisdictions within the Commonwealth, in accordance with this act.

(c) All political subdivisions of the Commonwealth or groups of political subdivisions acting in concert may make application to the commissioner for funding pursuant to the provisions of this act. The application shall be accompanied by a certified copy of a resolution or resolutions adopted by its governing body or bodies providing that, while receiving any State funds pursuant to this act, the political subdivision of the Commonwealth or group of political subdivisions acting in concert will adhere to the standards for training established by the commission. The application shall contain such information as the commissioner may request.

Section 11. Repeals.—All acts or parts of acts inconsistent with the provisions of this act are repealed to the extent of such inconsistency.

Section 12. Appropriation.—The sum of five hundred thousand dollars (\$500,000), or as much thereof as may be necessary, is hereby appropriated for the fiscal year beginning July 1, 1973 and ending June 30, 1974 to the Pennsylvania State Police for the use of the Municipal Police Officers' Education and Training Commission in carrying out the provisions of this act.

Section 13. Effective Date.—This act shall take effect immediately.

APPROVED—The 18th day of June, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 120.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style.

*Secretary of the Commonwealth.*