

No. 1999-49

AN ACT

HB 115

Amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for municipal police education and training; and limiting the application of certain municipal ordinances.

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.*

"Police officer." Any full-time or part-time employee of a city, borough, town, township, *railroad or street railway police*, campus police or university police or county police department assigned to criminal or traffic law enforcement duties; any deputy sheriff of a county of the second class; and, for the purpose of training only, security officers of a first class city housing authority. The term excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

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Section 2. Section 2168 of Title 53 is amended by adding a subsection to read:

§ 2168. Automatic certification.

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(d) Railroad and street railway police.—Any railroad or street railway police officer who, as of the effective date of this subsection, has successfully completed a basic training course similar to that required under this chapter shall, after review by the commission, be certified as having met the basic requirements of this chapter. Any railroad or street railway police officer who, as of the effective date of this subsection, has not successfully completed a basic training course similar to that required under this chapter which qualifies the police officer for certification shall be able to perform the duties of a railroad or street railway police officer until certified by the commission, but no longer than one year from the effective date of this subsection.

Section 3. Section 2170(e) of Title 53 is amended to read:

§ 2170. Reimbursement of expenses.

* * *

(e) Payment of mandatory in-service training.—The commission may pay for the cost of mandatory in-service training for all police officers to the extent determined by the commission. However, [a] college [or], university, railroad and street railway police shall not be eligible for reimbursement of any expense under this section [incurred during campus or university police officer training].

Section 4. Chapter 21 of Title 53 is amended by adding a subchapter to read:

SUBCHAPTER E EMPLOYEE BENEFITS

Sec.

2181. Health insurance ordinances.

§ 2181. Health insurance ordinances.

An ordinance adopted by a municipality which requires or the effect of which is to require the provision of health insurance or other employee health care benefits shall not apply to a State-owned or State-related college or university.

Section 5. Any municipal ordinance in effect on the effective date of the addition of 53 Pa.C.S. § 2181 that is inconsistent with that section shall be void as it relates to a State-owned or State-related college or university.

Section 6. This act shall take effect as follows:

- (1) The addition of 53 Pa.C.S. Ch. 21 Subch. E 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 24th day of November, A.D. 1999.

THOMAS J. RIDGE