
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 356 Session of
2015

INTRODUCED BY READSHAW, D. COSTA, KORTZ, KOTIK, BROWNLEE,
V. BROWN, THOMAS, DEASY, COHEN, MURT AND KIRKLAND,
FEBRUARY 9, 2015

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 9, 2015

AN ACT

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

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

8 Section 1. The definitions of "police department" and
9 "police officer" in section 2162 of Title 53 of the Pennsylvania
10 Consolidated Statutes, amended March 14, 2014 (P.L.38, No.18),
11 are amended and the section is amended by adding definitions to
12 read:

13 § 2162. Definitions.

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

17 * * *

18 "Police department." Any of the following:

19 (1) A public agency of a political subdivision having

1 general police powers and charged with making arrests in
2 connection with the enforcement of the criminal or traffic
3 laws. This paragraph includes the sheriff's office in a
4 county of the second class.

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

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

18 (4) The Capitol Police.

19 (5) The Harrisburg International Airport Police.

20 (6) An airport authority police department.

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

24 (8) A school police department.

25 "Police officer." Any of the following:

26 (1) A full-time or part-time employee assigned to
27 criminal or traffic law enforcement duties of any of the
28 following:

29 (i) A police department of a county, city, borough,
30 town or township.

- 1 (ii) Any railroad or street railway police.
2 (iii) Any campus or university police department.
3 (iv) The Capitol Police.
4 (v) The Harrisburg International Airport Police.
5 (vi) An airport authority police department.
6 (2) A deputy sheriff of a county of the second class.
7 (3) A security officer of a first class city housing
8 authority or a police officer of a second class city housing
9 authority.
10 (4) A county park police officer.
11 (5) A school police officer.

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

15 * * *

16 "School police department." A law enforcement agency
17 employed by any school district that has appointed school police
18 officers, as provided by section 778(a) of the act of March 10,
19 1949 (P.L.30, No.14), known as the Public School Code of 1949.

20 "School police officer." An officer employed by a school
21 district who:

- 22 (1) has been granted powers under section 778(c)(2) or
23 (3) of the Public School Code;
24 (2) has been authorized to carry a firearm; or
25 (3) any combination of paragraphs (1) and (2).

26 * * *

27 Section 2. Sections 2167 and 2168 of Title 53 are amended by
28 adding subsections to read:

29 § 2167. Police training.

30 * * *

1 (a.1) School police officers.--All school districts of this
2 Commonwealth shall be required to train their school police
3 officers under this subchapter prior to their enforcing criminal
4 laws or enforcing moving traffic violations under 75 Pa.C.S.
5 (relating to vehicles).

6 * * *

7 § 2168. Automatic certification.

8 * * *

9 (e) School police officers.--Any school police officer who,
10 as of the effective date of this subsection, has successfully
11 completed a basic training course similar to that required under
12 this subchapter shall, after review by the commission, be
13 certified as having met the basic training requirements of this
14 subchapter. Any school police officer who, as of the effective
15 date of this subsection, has not successfully completed a basic
16 training course similar to that required under this subchapter
17 which qualifies the police officer for certification shall be
18 able to perform the duties of a school police officer until
19 certified by the commission, but no longer than two years from
20 the effective date of this subsection.

21 Section 3. Section 2170(a), (c) and (d) of Title 53 are
22 amended to read:

23 § 2170. Reimbursement of expenses.

24 (a) General rule.--The commission shall provide for
25 reimbursement to each municipality and school district of the
26 entire amount of the allowable tuition and the ordinary and
27 necessary living and travel expenses incurred by their police
28 officers while attending certified municipal police basic
29 training schools if the municipality [adheres] and school
30 district adhere to the training standards established by the

1 commission. The regular salary of police officers while
2 attending approved schools shall be paid by the employing
3 municipality or school district, as applicable. The commission
4 shall reimburse the employing municipality or school district
5 for 60% of the regular salaries of police officers while
6 attending schools approved under this subchapter. The commission
7 shall require written documentation of all expenses incurred by
8 municipalities or school districts relating to the training of
9 [municipal] police officers for the purposes of reimbursement by
10 the commission. All municipalities and school districts shall
11 annually audit these funds as part of their annual audit and
12 submit a copy of the audit to the commission. Failure to perform
13 the audit and submit a copy of it to the commission shall render
14 the municipality or school district in violation of this
15 subchapter.

16 * * *

17 (c) Application for funding.--All municipalities and school
18 districts of this Commonwealth or groups of municipalities and
19 school districts acting in concert may make application to the
20 commission for funding pursuant to the provisions of this
21 subchapter. The application shall be accompanied by a certified
22 copy of a resolution adopted by its governing body. The
23 resolution shall provide that, while receiving any State funds
24 pursuant to this subchapter, the municipality or school district
25 agrees to adhere to the standards for training established by
26 the commission. The application shall contain any information
27 that the commission requests.

28 (d) Subsequent employment with another municipality or
29 school district.--If a police officer, within two years
30 following certification, terminates his employment with the

1 municipality or school district by which the officer was
2 employed at the time he was certified as having met the
3 commission's requirement and subsequently obtains employment as
4 a police officer with another municipality or school district,
5 the municipality or school district which employs the previously
6 certified police officer shall reimburse the municipality or
7 school district which formerly employed the police officer for
8 the nonreimbursable portion of the salary paid to the police
9 officer while complying with the provisions of this subchapter.

10 * * *

11 Section 4. This act shall take effect in one year.