
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 959 Session of
2017

INTRODUCED BY STURLA, TAYLOR, W. KELLER, SCHLOSSBERG, READSHAW,
KINSEY, McNEILL, D. COSTA, BULLOCK, THOMAS, SOLOMON,
DONATUCCI, NEILSON, DeLUCA, PASHINSKI, RABB, GALLOWAY,
V. BROWN, FRANKEL, KIM, McCARTER, FLYNN, DALEY, WHEATLEY,
KULIK, DAVIDSON, GERGELY, SIMS, KORTZ, O'BRIEN, J. HARRIS,
DeLISSIO, GAINEY, D. MILLER, FITZGERALD, BOYLE, ROEBUCK,
RAVENSTAHL, DRISCOLL, CEPHAS, HAGGERTY AND MARKOSEK,
APRIL 24, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 24, 2017

AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania
2 Consolidated Statutes, imposing a fee for service on
3 municipalities for municipal patrol services provided by the
4 Pennsylvania State Police and providing for State Police
5 patrol services agreements, for allocation of funds, for fees
6 for intermunicipal police response and for penalties.

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

9 Section 1. Title 44 of the Pennsylvania Consolidated
10 Statutes is amended by adding a chapter to read:

11 CHAPTER 25

12 MUNICIPAL PATROL SERVICES

13 Sec.

14 2501. Scope of chapter.

15 2502. Definitions.

16 2503. State Police patrol services fee.

17 2504. Reduction or elimination of fee.

1 2505. State Police patrol services agreements.

2 2506. Allocation of money.

3 2507. Annual reports by State Police.

4 2508. Intermunicipal police response.

5 2509. Penalties.

6 2510. Applicability.

7 § 2501. Scope of chapter.

8 This chapter relates to municipal patrol services.

9 § 2502. Definitions.

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

13 "Commissioner." The Commissioner of Pennsylvania State
14 Police.

15 "Institutionalized population." Persons who are primarily
16 ineligible, unable or unlikely to participate in the labor force
17 while residents of institutional group quarters, including adult
18 correctional facilities, juvenile facilities, skilled nursing
19 facilities and other institutional facilities such as mental
20 hospitals and in-patient hospice facilities.

21 "Local full-time patrol services." Patrol services provided
22 by a municipality for a period of 24 hours a day and seven days
23 a week through the municipality's local police department,
24 through participation in a regional police department or through
25 a contract with other municipal or regional police departments.

26 "Local part-time patrol services." Patrol services provided
27 by a municipality for a period of less than 24 hours a day and
28 less than seven days a week by a municipality through the
29 municipality's local police department, through participation in
30 a regional police department or through a contract with other

1 municipal or regional police departments.

2 "Patrol services." Police services provided to protect
3 public safety by maintaining order, protecting people and
4 property and enforcing motor vehicle and criminal laws through
5 routine visits through a municipality.

6 "State Police." The Pennsylvania State Police.

7 "State Police full-time patrol services." Patrol services
8 provided by the Pennsylvania State Police to a municipality for
9 a period of 24 hours a day and seven days a week in a
10 municipality that does not have local full-time patrol services.

11 "State Police part-time patrol services." Patrol services
12 provided by the Pennsylvania State Police that supplement the
13 local part-time patrol services provided in a municipality.

14 § 2503. State Police patrol services fee.

15 (a) State Police full-time patrol services.--Except for a
16 municipality that is subject to section 2505 (relating to State
17 Police patrol services agreements), each municipality that
18 receives State Police full-time patrol services shall pay the
19 fee under subsection (c) for the State Police full-time patrol
20 services provided in the previous calendar year.

21 (b) State Police part-time patrol services.--

22 (1) Except as provided under paragraph (2), each
23 municipality that receives State Police part-time patrol
24 services shall pay the fee under subsection (c) for State
25 Police part-time patrol services provided in the previous
26 calendar year.

27 (2) The following apply:

28 (i) The following municipalities shall be exempt
29 from paying the fee for service under paragraph (1):

30 (A) A municipality that is subject to section

1 2505.

2 (B) A municipality with a population of 1,000 or
3 less that provides local part-time patrol services
4 for at least 40 hours per week.

5 (C) A municipality with a population of more
6 than 1,000 but less than 3,500 that provides local
7 part-time patrol services for at least 80 hours per
8 week.

9 (D) A municipality with a population equal to or
10 greater than 3,500 that meets the requirement under
11 clause (C) and provides local part-time patrol
12 services for an additional 40 hours per week for each
13 2,500 in population greater than 3,500.

14 (ii) A municipality that qualifies for an exemption
15 under subparagraph (i) (D) shall not be considered to
16 provide local full-time patrol services.

17 (c) Fees.--

18 (1) The total annual fee assessed by the commissioner
19 for all municipalities subject to subsections (a) and (b)
20 shall be equal to the appropriation to the State Police from
21 the Motor License Fund during fiscal year 2016-2017 less the
22 appropriation to the State Police from the Motor License Fund
23 beginning during the calendar year during which the services
24 are provided.

25 (2) Each municipality subject to subsection (a) or (b)
26 shall be assessed a portion of the total annual fee under
27 paragraph (1) on a per capita basis, except that a
28 municipality that receives State Police part-time patrol
29 services shall pay a fee of one-third per capita of the rate
30 assessed to municipalities that receive State Police full-

1 time patrol services. The population figures for each
2 municipality shall be based upon the most recent Federal
3 decennial census but shall not include the institutionalized
4 population.

5 (d) Determination and payment.--

6 (1) The commissioner shall determine whether a
7 municipality receives State Police full-time patrol services
8 or State Police part-time patrol services and shall maintain
9 a list of those municipalities. The commissioner shall make
10 the list available to municipal officials.

11 (2) The commissioner shall submit an invoice by February
12 1 each year for State Police full-time patrol services or
13 State Police part-time patrol services provided in the
14 preceding calendar year to each municipality determined under
15 paragraph (1). The fee for services shall be paid on a
16 quarterly basis in equal installments to the Commonwealth
17 beginning July 1.

18 (e) Applicability.--A municipality that is classified as
19 distressed under the act of July 10, 1987 (P.L.246, No.47),
20 known as the Municipalities Financial Recovery Act, shall not be
21 required to pay the fee under this section.

22 § 2504. Reduction or elimination of fee.

23 If a municipality that is paying a fee under section 2503
24 (relating to State Police patrol services fee) institutes local
25 full-time patrol services or local part-time patrol services
26 during the calendar year sufficient to cause a reduction or
27 elimination in the fee owed by the municipality, the
28 commissioner shall adjust the fee to reflect the municipality's
29 local full-time patrol services or local part-time patrol
30 services during that portion of the year.

1 § 2505. State Police patrol services agreements.

2 (a) Contract requirement.--A municipality that eliminates
3 local full-time patrol services or local part-time patrol
4 services after the effective date of this chapter shall enter
5 into an agreement with the State Police for State Police full-
6 time patrol services or State Police part-time patrol services
7 on terms established by the commissioner.

8 (b) Fees.--The commissioner shall establish a reasonable fee
9 and payment schedule for State Police full-time patrol services
10 or State Police part-time patrol services provided under
11 subsection (a). In setting the fee, the commissioner may
12 consider all of the following regarding a municipality:

13 (1) Population.

14 (2) Square mileage.

15 (3) Crime rates.

16 (4) Other factors deemed relevant by the commissioner.

17 (c) Term and renewal.--An agreement under this section shall
18 have a term of one year and may be renewed for additional terms
19 in accordance with the provisions of this section.

20 (d) Local patrol services.--Upon the expiration of an
21 agreement under this section, a municipality may provide for
22 local full-time patrol services or local part-time patrol
23 services. The municipality shall provide to the commissioner
24 documentation of local full-time patrol services or local part-
25 time patrol services.

26 § 2506. Allocation of money.

27 Money collected under sections 2503 (relating to State Police
28 patrol services fee) and 2505 (relating to State Police patrol
29 services agreements) shall be deposited into the General Fund
30 for the cost of State Police operations.

1 § 2507. Annual reports by State Police.

2 The commissioner shall prepare and disseminate an annual
3 report to each municipality paying a fee under section 2503
4 (relating to State Police patrol services fee) or 2505 (relating
5 to State Police patrol services agreements). The report shall
6 include:

7 (1) Total hours patrolled.

8 (2) Dates and times patrolled.

9 (3) Number of incidents to which the State Police
10 responded.

11 (4) Number of agreements and amount of fees paid under
12 section 2505.

13 § 2508. Intermunicipal police response.

14 If a municipality or regional police force providing local
15 full-time patrol services or local part-time patrol services is
16 requested by the State Police to respond to an incident within
17 another municipality that receives State Police full-time patrol
18 services or State Police part-time patrol services, the
19 municipality or regional police force may levy a per-incident
20 fee or hourly fee on the other municipality.

21 § 2509. Penalties.

22 The following shall apply:

23 (1) A municipality failing to enter into an agreement
24 under section 2505 (relating to State Police patrol services
25 agreements) or make a payment under section 2503 (relating to
26 State Police patrol services fee) or 2505 shall be ineligible
27 for funding under 75 Pa.C.S. § 9010 (relating to disposition
28 and use of tax) until the outstanding balance owed is paid in
29 full.

30 (2) Upon declaration of a local emergency, as defined in

1 35 Pa.C.S. § 7102 (relating to definitions), a municipality
2 may request from the commissioner an extension of time for
3 payment.

4 § 2510. Applicability.

5 This chapter shall apply to the State Police full-time patrol
6 services or State Police part-time patrol services provided in
7 the calendar year beginning after the year in which this section
8 takes effect.

9 Section 2. This act shall take effect July 1, 2017, or
10 immediately, whichever is later.