
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1804 Session of
2017

INTRODUCED BY DAWKINS, J. HARRIS, RABB, VAZQUEZ AND DALEY,
SEPTEMBER 21, 2017

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 21, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for mental health
3 evaluations.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 96

9 MENTAL HEALTH EVALUATIONS

10 Subchapter

11 A. Preliminary Provisions

12 B. General Provisions

13 SUBCHAPTER A

14 PRELIMINARY PROVISIONS

15 Sec.

16 9601. Scope of chapter.

17 9602. Definitions.

18 § 9601. Scope of chapter.

1 This chapter relates to mental health evaluations for law
2 enforcement officers.

3 § 9602. Definitions.

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

7 "Desk duty." An administrative law enforcement duty which is
8 designed to limit a law enforcement officer's day-to-day work-
9 related interactions with the public.

10 "Law enforcement officer." A member of the Pennsylvania
11 State Police or an individual employed as a police officer who
12 is required to be trained under 53 Pa.C.S. Ch. 21 Subch. D
13 (relating to municipal police education and training).

14 SUBCHAPTER B

15 GENERAL PROVISIONS

16 Sec.

17 9603. Mental health evaluations for law enforcement officers.

18 § 9603. Mental health evaluations for law enforcement officers.

19 (a) Evaluations.--As a condition of continued employment, a
20 law enforcement officer shall undergo a mental health evaluation
21 for posttraumatic stress disorder by a licensed mental health
22 professional:

23 (1) biennially; and

24 (2) within 30 days of an incident of the use of lethal
25 force during the course of law enforcement duties.

26 (b) Treatment.--If a licensed mental health professional
27 determines that a law enforcement officer has symptoms of
28 posttraumatic stress disorder under subsection (a), the law
29 enforcement officer shall seek treatment under a licensed
30 physician's care. The law enforcement officer shall receive

1 treatment under a licensed physician's care until the law
2 enforcement officer ceases experiencing symptoms of
3 posttraumatic stress disorder.

4 (c) Desk duty.--A law enforcement officer shall be relegated
5 to desk duty if the law enforcement officer:

6 (1) fails to undergo a mental health evaluation for
7 posttraumatic stress disorder under subsection (a);

8 (2) is experiencing symptoms of posttraumatic stress
9 disorder as determined by a licensed mental health
10 professional under subsection (a); or

11 (3) is receiving treatment by a licensed physician under
12 subsection (b).

13 Section 2. This act shall take effect in two years.