
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1500 Session of
2009

INTRODUCED BY STURLA, D. EVANS, GEIST, BEAR, BISHOP, BOYLE,
BRENNAN, BRIGGS, BROWN, CALTAGIRONE, CARROLL, CASORIO, COHEN,
D. COSTA, P. COSTA, CURRY, DePASQUALE, DONATUCCI, FABRIZIO,
FRANKEL, GALLOWAY, GERBER, GERGELY, GODSHALL, GRUCELA,
JOHNSON, JOSEPHS, KIRKLAND, KORTZ, MANDERINO, MANN, MELIO,
MUNDY, MURPHY, O'NEILL, OLIVER, PARKER, PASHINSKI, PAYTON,
PRESTON, READSHAW, ROEBUCK, SABATINA, SANTARSIERO, SANTONI,
M. SMITH, THOMAS, WALKO, WATERS, WILLIAMS, YOUNGBLOOD AND
M. O'BRIEN, JUNE 24, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 24, 2009

AN ACT

1 Imposing a fee on municipalities for patrol services provided by
2 the Pennsylvania State Police; and providing for allocation
3 of funds and for penalties.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pennsylvania
8 State Police Municipal Patrol Services Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 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 "Local full-time patrol services." Patrol services provided

1 by a municipality for a period of 24 hours a day and seven days
2 per week.

3 "Local part-time patrol services." Patrol services provided
4 by a municipality for a period of less than 24 hours a day and
5 seven days per week.

6 "Patrol services." Police services provided to protect
7 public safety by maintaining order, protecting people and
8 property and enforcing motor vehicle and criminal laws, by
9 routine visits through a municipality.

10 "Pennsylvania State Police full-time patrol services."
11 Patrol services provided by the Pennsylvania State Police which
12 are the primary police services for a municipality.

13 "Pennsylvania State Police part-time patrol services."
14 Patrol services provided by the Pennsylvania State Police which
15 supplement the local part-time patrol services provided in the
16 municipality.

17 Section 3. Pennsylvania State Police full-time patrol services
18 fee.

19 (a) Requirement.--Each municipality which receives
20 Pennsylvania State Police full-time patrol services and which
21 meets any of the following shall pay the fee under subsection

22 (b) for Pennsylvania State Police full-time patrol services
23 provided in the previous calendar year:

24 (1) Does not provide its own local full-time patrol
25 services.

26 (2) Does not participate in a regional police force for
27 local full-time patrol services.

28 (3) Does not contract with another municipality for
29 local full-time patrol services.

30 (b) Amount.--A per capita fee shall be paid by a

1 municipality under subsection (a) as follows:

2 (1) For the first year of service, the fee shall be \$52
3 per year.

4 (2) For the second year of service, the fee shall be
5 \$104 per year.

6 (3) For the third and subsequent years of service, the
7 fee shall be \$156 per year for Pennsylvania State Police
8 full-time patrol services.

9 (c) Elimination.--If a municipality currently provides or
10 institutes local full-time patrol services and subsequently
11 eliminates the services, the municipality shall be assessed at
12 the annual per capita rate of \$156.

13 (d) Determination and payment.--

14 (1) The commissioner shall determine if a municipality
15 meets the necessary criteria to be considered as having local
16 full-time patrol services and shall maintain a list of those
17 municipalities, which shall be made available to municipal
18 officials.

19 (2) The commissioner shall submit an invoice by February
20 1 to each municipality determined under paragraph (1) for
21 Pennsylvania State Police full-time patrol services provided
22 in the preceding calendar year. The fee shall be paid on a
23 quarterly basis to the Commonwealth. The population figures
24 for each municipality used by the commissioner shall be based
25 upon the most recent decennial census.

26 Section 4. Pennsylvania State Police part-time patrol services
27 fee.

28 (a) Requirement.--

29 (1) Each municipality which receives Pennsylvania State
30 Police part-time patrol services and which meets any of the

1 following shall, if the municipality is not exempt under
2 paragraph (2) or opts out of the fee under paragraph (3), pay
3 the fee under subsection (b) for Pennsylvania State Police
4 part-time patrol services provided in the previous calendar
5 year:

6 (i) Provides its own local part-time patrol
7 services.

8 (ii) Participates in a regional police force for
9 local part-time patrol services.

10 (iii) Contracts with another municipality for local
11 part-time patrol services.

12 (2) (i) The following municipalities shall be exempt
13 from paying a fee under paragraph (1):

14 (A) Municipalities with a population of 1,000
15 people or less that provide or contract for patrol
16 services for at least 40 hours per week.

17 (B) Municipalities with a population of over
18 1,000 people but less than 3,500 people that provide
19 or contract for patrol services for at least 80 hours
20 per week.

21 (C) Municipalities that, for each 2,500 persons
22 the municipality has over a population of 3,500
23 persons, provide or contract for patrol services of
24 an additional 40 hours per week over 80 hours per
25 week.

26 (ii) A municipality that qualifies for an exemption
27 under subparagraph (i)(C) shall not be considered to
28 provide local full-time patrol services.

29 (3) The governing body of a municipality which receives
30 Pennsylvania State Police part-time patrol services outlined

1 may choose to opt out of paying a fee under this section by
2 submitting a letter to the commissioner giving notice of its
3 decision. Upon receipt of the letter, the commissioner shall
4 direct appropriate Pennsylvania State Police barracks
5 commanders that patrol services shall no longer be provided
6 to the municipality and that the Pennsylvania State Police
7 shall only be responsible for responding to emergencies or
8 calls to respond to specific incidents. The commissioner
9 shall provide the municipality with a fee schedule for
10 responses to incidents or emergencies within the
11 municipality. On February 1 of the following calendar year,
12 the commissioner shall submit an invoice to the municipality
13 for the cost of the services provided in the previous
14 calendar year, which shall be paid on a quarterly basis to
15 the Commonwealth.

16 (b) Amount.--A per capita fee shall be paid by a
17 municipality under subsection (a) as follows:

18 (1) For the first year of service, the fee shall be \$17
19 per year.

20 (2) For the second year of service, the fee shall be \$34
21 per year.

22 (3) For the third and subsequent years of service, the
23 fee shall be \$52 per year.

24 (c) Elimination.--If a municipality currently provides or
25 institutes local part-time patrol services and subsequently
26 eliminates the services, the municipality shall be assessed at
27 the annual per capita rate of \$52 for Pennsylvania State Police
28 part-time services.

29 (d) Determination and payment.--

30 (1) The commissioner shall determine if a municipality

1 meets the necessary criteria to be considered as having local
2 part-time patrol services and shall maintain a list of those
3 municipalities, which shall be made available to municipal
4 officials.

5 (2) The commissioner shall submit an invoice by February
6 1 to each municipality determined under paragraph (1) for
7 Pennsylvania State Police part-time patrol services provided
8 in the preceding calendar year. The fee shall be paid on a
9 quarterly basis to the Commonwealth. The population figures
10 for each municipality used by the commissioner shall be based
11 upon the most recent decennial census.

12 Section 5. Reduction or elimination of fee.

13 If a municipality that is paying a fee under section 3 or 4
14 institutes police patrol services sufficient to cause a
15 reduction or elimination in the fee being paid, the municipality
16 shall not be required to pay the fee for the portion of the year
17 during which the local patrol service is provided.

18 Section 6. Allocation of fees.

19 Of the funds collected annually under this act, \$20,000,000
20 shall be deposited into a restricted account established in the
21 State Treasury for use by the commissioner for the purpose of
22 funding additional Pennsylvania State Police cadet classes. The
23 remainder of the funds collected annually shall be allocated as
24 follows:

25 (1) Ninety percent shall be paid annually to the Motor
26 License Fund by the commissioner.

27 (2) Ten percent shall be distributed to the Department
28 of Community and Economic Development. The funds shall be
29 used for the purposes of assisting and encouraging
30 municipalities to enter into cooperative arrangements to

1 provide police services in two or more municipalities and by
2 participating municipalities for grants for equipment and
3 studies for implementing cooperative policing arrangements.
4 The Department of Community and Economic Development shall
5 develop all eligibility requirements for the use of these
6 funds.

7 Section 7. Distressed municipalities.

8 Notwithstanding any other provision of this act, a
9 municipality that is determined to be distressed under the act
10 of July 10, 1987 (P.L.246, No.47), known as the Municipalities
11 Financial Recovery Act, shall not be required to pay the fees
12 under this act. A municipality that was once classified as
13 distressed under the Municipalities Financial Recovery Act but
14 is not currently deemed distressed by the Department of
15 Community and Economic Development shall be required to pay the
16 fees under this act.

17 Section 8. Penalties.

18 The following shall apply:

19 (1) Any municipality failing to make a payment required
20 under this act shall forfeit all payments to be received from
21 the Commonwealth until the outstanding balance owed is paid
22 in full.

23 (2) Any municipality which fails to make the full
24 quarterly payment within one year of the date the payment is
25 due shall forfeit all Pennsylvania State Police patrol
26 services until the outstanding payment is paid in full.

27 Section 20. Applicability.

28 This act shall apply to Pennsylvania State Police patrol
29 services provided in the calendar year beginning after the year
30 in which this section takes effect.

1 Section 21. Effective date.

2 This act shall take effect immediately.