
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1738 Session of
2017

INTRODUCED BY MARSICO, PASHINSKI, PICKETT, FREEMAN, QUIGLEY,
O'NEILL, SAYLOR, D. COSTA, A. HARRIS, MARSHALL, MILLARD,
WHEELAND, DeLUCA, ZIMMERMAN AND WATSON, AUGUST 24, 2017

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 24, 2017

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in commencement of
3 proceedings, further providing for definitions and providing
4 for nonmunicipal police extraterritorial jurisdiction for
5 purposes of municipal police jurisdiction.

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

8 Section 1. Section 8951 of Title 42 of the Pennsylvania
9 Consolidated Statutes is amended by adding definitions to read:

10 § 8951. Definitions.

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

14 * * *

15 "Nonmunicipal police department." The term shall have the
16 same meaning as paragraphs (2), (3), (4), (5) and (6) in the
17 definition of "police department" in 53 Pa.C.S. § 2162 (relating
18 to definitions).

19 "Nonmunicipal police officer." A police officer employed by

1 a nonmunicipal police department as a regular full-time or part-
2 time police officer.

3 * * *

4 Section 2. Title 42 is amended by adding a section to read:

5 § 8953.1. Nonmunicipal police extraterritorial jurisdiction.

6 (a) Power and authority.--In addition to a power and
7 authority vested by law, a nonmunicipal police officer who is
8 within this Commonwealth, but beyond the territorial limit of
9 the jurisdiction established for the officer's nonmunicipal
10 police department by law, shall have the power and authority to
11 enforce the laws of this Commonwealth or to perform a function
12 of a municipal police officer in the following circumstances:

13 (1) If the officer is in hot pursuit of a person for an
14 offense which was committed, or which the officer has
15 probable cause to believe was committed, within the officer's
16 jurisdiction and for which the officer continues in fresh
17 pursuit of the person after the commission of the offense.

18 (2) If the officer has been requested to aid or assist a
19 Federal, State or local law enforcement officer or park
20 police officer or has probable cause to believe that the
21 other officer is in need of aid or assistance.

22 (3) If, while on official business, the officer views an
23 offense and makes a reasonable effort to identify himself or
24 herself as a police officer and the offense is:

25 (i) A felony.

26 (ii) A misdemeanor.

27 (iii) A breach of the peace or other act that
28 presents an immediate clear and present danger to a
29 person or property.

30 (4) If the officer views an offense that is a felony and

1 makes a reasonable effort to identify himself or herself as a
2 police officer.

3 (b) Applicability.--A nonmunicipal police officer acting in
4 accordance with the authority granted under this section shall
5 be subject to section 8953(b), (c) and (d) (relating to
6 Statewide municipal police jurisdiction) to the same extent as
7 would a municipal police officer.

8 Section 3. This act shall take effect in 60 days.