
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 937 Session of
2013

INTRODUCED BY CARROLL, SCHLOSSBERG, DONATUCCI, MILLARD,
BENNINGHOFF, ROZZI, HAGGERTY, BOBACK, MAHONEY, GIBBONS,
FLECK, READSHAW, HALUSKA, KORTZ, COHEN, KAVULICH, GILLEN AND
DENLINGER, MARCH 11, 2013

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 11, 2013

AN ACT

1 Amending Title 22 (Detectives and Private Police) of the
2 Pennsylvania Consolidated Statutes, in private police,
3 providing for appointment by nonprofit educational
4 corporations.

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

7 Section 1. Title 22 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 502. Appointment by nonprofit educational corporations.

10 (a) Appointment authorized.--

11 (1) A nonprofit educational corporation maintaining any
12 buildings or grounds in furtherance of higher education may
13 apply to the court of common pleas of the county of the
14 registered office of the corporation for the appointment of
15 such persons as the corporation may designate to act as
16 police officer for the corporation. A nonprofit educational
17 corporation operating with locations in more than one county
18 in this Commonwealth must apply for appointment of police

1 officers within the jurisdiction where additional locations
2 exist.

3 (2) The court, upon review of an application submitted
4 under paragraph (1), may by order appoint such persons as it
5 may deem proper and necessary to be police officers.

6 (b) Oath of office.--

7 (1) Police officers appointed under subsection (a)
8 shall, before entering upon the duties of their office, take
9 and subscribe the oath required by Article VI of the
10 Constitution of Pennsylvania.

11 (2) Evidence of the oath, together with the decree and
12 order of the court, shall be recorded by the recorder of
13 deeds of each county in which it is intended that the police
14 officers are authorized to act.

15 (c) Powers.--A police officer appointed under subsection (a)
16 shall:

17 (1) Possess and exercise all the powers of a police
18 officer in this Commonwealth, in and upon, and adjacent to
19 the property of the nonprofit educational corporation, not to
20 exceed 500 yards unless otherwise defined.

21 (2) Possess and exercise all the powers of a police
22 officer in any county in which the police officer may be
23 directed by the nonprofit educational corporation to act, and
24 may arrest persons for a crime or offense occurring within
25 the police officer's jurisdiction, including 75 Pa.C.S
26 (relating to vehicles).

27 (3) When on duty, wear a metallic shield that includes
28 the name of the nonprofit educational corporation that
29 appointed the police officer. Police officers so appointed
30 for a college or university shall be referred to as "campus

1 police" or "campus police officers" and shall exercise their
2 powers and perform their duties only upon successful
3 completion of training outlined in 53 Pa.C.S. Ch. 21 Subch. D
4 (relating to municipal police education and training).

5 (d) Duty to receive persons arrested.--The officials and
6 administrators of county correctional institutions and other
7 places of detention in any county of this Commonwealth shall
8 receive all persons arrested by police officers appointed under
9 subsection (a) for purposes of detention until the persons are
10 dealt with according to law.

11 (e) Limited immunity.--Police officers in the performance of
12 their duties under this section shall possess the same
13 protections and immunities as afforded to all other police
14 officers under 53 Pa.C.S. Ch. 21 Subch. D.

15 (f) Criminal justice agency.--A campus police department of
16 a college or university shall be considered a "criminal justice
17 agency" under 18 Pa.C.S. § 9102 (relating to definitions) only
18 after all sworn members have completed training as defined by 53
19 Pa.C.S. Ch. 21 Subch. D or other recognized Commission on Peace
20 Officer Standards and Training certified academy.

21 (g) Certification.--

22 (1) A campus police department of a college or
23 university and recognized as a "criminal justice agency"
24 under 18 Pa.C.S. § 9102 shall be eligible to obtain
25 certification from the Municipal Police Officers' Education
26 and Training Commission.

27 (2) Officers currently employed by a department
28 established under this section who have received
29 certification from the commission prior to employment by the
30 department or any officer who received qualified training to

1 serve as a law enforcement officer shall be deemed acceptable
2 for all current commission certification upon completion of
3 necessary paperwork or written examination.

4 (h) Reimbursement for expenses.--All campus police
5 departments constituted and maintained by a nonprofit
6 educational corporation shall pay for the expenses of all
7 personnel attending training as provided by 53 Pa.C.S. § 2170
8 (relating to reimbursement of expenses), including basic academy
9 and mandatory in-service training.

10 (i) Mutual aid.--

11 (1) A campus police department located within a
12 municipality may enter into a mutual aid agreement in which
13 the campus police department, at the request of the mayor or
14 other executive authority and under the direction of the
15 local law enforcement authorities, may exercise those powers
16 and perform those duties conferred pursuant to this section
17 within the municipality for the limited purpose of aiding
18 local authorities in emergency situations.

19 (2) When acting under such agreement, a campus police
20 officer shall be acting within the scope of the authority of
21 42 Pa.C.S. Ch. 89 Subch. D (relating to municipal police
22 jurisdiction) and is, at all times, entitled to all the
23 rights and benefits accruing under that law.

24 (j) Compensation.--The compensation of a police officer
25 shall be paid by the nonprofit educational corporation for which
26 the police officer is appointed, as may be agreed upon between
27 the nonprofit educational corporation and the police officer.

28 (k) Termination of appointment.--

29 (1) When a nonprofit educational corporation no longer
30 requires the services of a police officer, it shall file a

1 notice to that effect, under its corporate seal, in the
2 office of each recorder of deeds where the court decree and
3 order of appointment of the police officer were recorded.

4 (2) The recorder of deeds shall note this information on
5 the margin of the record where the court decree and order
6 were recorded, and as of the date of the notation the powers
7 of the police officer shall terminate.

8 (3) The recorder of deeds shall notify the clerk of the
9 court by which the police officer was appointed of the
10 termination of the appointment in the county.

11 (l) Applicability.--

12 (1) In order to maintain certification and recognition
13 of authority under this section, all existing campus police
14 departments shall satisfy all requirements of this section by
15 July 1, 2014.

16 (2) All new requests for recognition under this section
17 must satisfy all requirements prior to making application to
18 the court of common pleas.

19 (m) Construction.--Nothing in this section may be construed
20 as requiring private colleges and universities to utilize campus
21 security. However, existing campus police that are not appointed
22 under subsection (a) shall remain designated as security, and
23 the campus police department in which they are employed shall be
24 prohibited from retaining or obtaining any confidential or law-
25 enforcement-only criminal justice information, database access
26 from any source, internal or external, and may not obtain
27 membership on committees or boards established with access to
28 that information.

29 (n) Definitions.--As used in this section, the following
30 words and phrases shall have the meanings given to them in this

1 subsection unless the context clearly indicates otherwise:

2 "Certification." The assignment of a certification number to
3 a campus police officer after successful completion of a
4 mandatory basic training course or receipt of a waiver of basic
5 training from the Municipal Police Officers' Education and
6 Training Commission and successful completion of mandatory in-
7 service training.

8 "College." A college that has a campus police department, as
9 used in section 2416 of the act of April 9, 1929 (P.L.177,
10 No.175), known as The Administrative Code of 1929, certified by
11 the Office of Attorney General as a criminal justice agency
12 under the definition of "criminal justice agency" in 18 Pa.C.S.
13 § 9102 (relating to definitions).

14 "Commission." The Municipal Police Officers' Education and
15 Training Commission.

16 "Nonprofit educational corporation." An accredited, not-for-
17 profit, private college or university in this Commonwealth as
18 recognized by the Department of Education of the Commonwealth.

19 "Police department." Any of the following:

20 (1) A public agency of a political subdivision having
21 general police powers and charged with making arrests in
22 connection with the enforcement of the criminal or traffic
23 laws. This paragraph includes the sheriff's office in a
24 county of the second class.

25 (2) A campus police or university police department, as
26 the term is used in section 2416 of the act of April 9, 1929
27 (P.L.177, No.175), known as The Administrative Code of 1929,
28 certified by the Office of Attorney General as a criminal
29 justice agency under the definition of "criminal justice
30 agency" in 18 Pa.C.S. § 9102 (relating to definitions). This

1 paragraph does not include a campus police or university
2 police department of the State System of Higher Education and
3 its member institutions.

4 (3) A railroad or street railway police department
5 formed with officers commissioned under Chapter 33 (relating
6 to railroad and street railway police) or any prior statute
7 providing for such commissioning.

8 (4) The Capitol Police.

9 (5) The Harrisburg International Airport Police.

10 (6) An airport authority police department.

11 Section 2. This act shall take effect in 60 days.