
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1165 Session of
2021

INTRODUCED BY STURLA, SANCHEZ, SCHLOSSBERG, ZABEL, N. NELSON,
A. DAVIS, HOHENSTEIN, MENTZER, NEILSON, MALAGARI, SOLOMON,
DEASY AND BROOKS, APRIL 14, 2021

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 14, 2021

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.

18 2505. State Police patrol services agreements.

19 2506. Allocation of money.

1 2507. Annual reports by State Police.

2 2508. Intermunicipal police response.

3 2509. Penalties.

4 2510. Applicability.

5 § 2501. Scope of chapter.

6 This chapter relates to municipal patrol services.

7 § 2502. Definitions.

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

11 "Commissioner." The Commissioner of Pennsylvania State
12 Police.

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

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

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

30 "Patrol services." Police services provided to protect

1 public safety by maintaining order, protecting people and
2 property and enforcing motor vehicle and criminal laws through
3 routine visits through a municipality.

4 "State Police." The Pennsylvania State Police.

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

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

12 § 2503. State Police patrol services fee.

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

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

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

25 (2) The following apply:

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

28 (A) A municipality that is subject to section
29 2505.

30 (B) A municipality with a population of 1,000 or

1 less that provides local part-time patrol services
2 for at least 40 hours per week.

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

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

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

15 (c) Fees.--

16 (1) The total annual fee assessed by the commissioner
17 for all municipalities subject to subsections (a) and (b)
18 shall be equal to the appropriation to the State Police from
19 the Motor License Fund during fiscal year 2020-2021 less the
20 appropriation to the State Police from the Motor License Fund
21 beginning during the calendar year during which the services
22 are provided.

23 (2) Each municipality subject to subsection (a) or (b)
24 shall be assessed a portion of the total annual fee under
25 paragraph (1) on a per capita basis, except that a
26 municipality that receives State Police part-time patrol
27 services shall pay a fee of one-third per capita of the rate
28 assessed to municipalities that receive State Police full-
29 time patrol services. The population figures for each
30 municipality shall be based upon the most recent Federal

1 decennial census but shall not include the institutionalized
2 population.

3 (d) Determination and payment.--

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

9 (2) The commissioner shall submit an invoice by February
10 1 each year for State Police full-time patrol services or
11 State Police part-time patrol services provided in the
12 preceding calendar year to each municipality determined under
13 paragraph (1). The fee for services shall be paid on a
14 quarterly basis in equal installments to the Commonwealth
15 beginning July 1.

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

20 § 2504. Reduction or elimination of fee.

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

29 § 2505. State Police patrol services agreements.

30 (a) Contract requirement.--A municipality that eliminates

1 local full-time patrol services or local part-time patrol
2 services after the effective date of this chapter shall enter
3 into an agreement with the State Police for State Police full-
4 time patrol services or State Police part-time patrol services
5 on terms established by the commissioner.

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

11 (1) Population.

12 (2) Square mileage.

13 (3) Crime rates.

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

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

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

24 § 2506. Allocation of money.

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

29 § 2507. Annual reports by State Police.

30 The commissioner shall prepare and disseminate an annual

1 report to each municipality paying a fee under section 2503
2 (relating to State Police patrol services fee) or 2505 (relating
3 to State Police patrol services agreements). The report shall
4 include:

5 (1) Total hours patrolled.

6 (2) Dates and times patrolled.

7 (3) Number of incidents to which the State Police
8 responded.

9 (4) Number of agreements and amount of fees paid under
10 section 2505.

11 § 2508. Intermunicipal police response.

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

19 § 2509. Penalties.

20 The following shall apply:

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

28 (2) Upon declaration of a local emergency, as defined in
29 35 Pa.C.S. § 7102 (relating to definitions), a municipality
30 may request from the commissioner an extension of time for

1 payment.

2 § 2510. Applicability.

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

7 Section 2. This act shall take effect July 1, 2021, or
8 immediately, whichever is later.