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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 813 Session of  
2017

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INTRODUCED BY COSTA, JUNE 29, 2017

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REFERRED TO LAW AND JUSTICE, JUNE 29, 2017

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AN ACT

1 Imposing a fee on municipalities for services provided by the  
2 Pennsylvania State Police; and providing for allocation of  
3 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 Police 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 police services." The provision of not less than 40  
16 hours per week of police services through a municipal police  
17 department, participation in a regional police department or a  
18 contract for other municipal or regional police services.

19 "State Police." The Pennsylvania State Police.

1 Section 3. State Police services fee.

2 (a) General rule.--A municipality that does not provide  
3 local police services shall pay the fee under subsection (b) for  
4 State Police services received by the municipality.

5 (b) Amount.--A municipality under subsection (a) shall  
6 annually pay a per capita fee for the provision of State Police  
7 services. The fee shall be in the amount of \$25 for each person  
8 residing in the municipality. The fee shall be increased  
9 annually, beginning one year after the effective date of this  
10 subsection, by the percentage growth in the Consumer Price Index  
11 for All Urban Consumers. If the Department of Revenue determines  
12 that there is no positive percentage change, the fee may not be  
13 adjusted for that year.

14 (c) Determination and payment.--

15 (1) In order to aid the commissioner in making a  
16 determination regarding the provision of local police  
17 services, each municipality shall submit a certification to  
18 the commissioner by July 31, 2017, for fiscal year 2017-2018  
19 and by April 1 of each year thereafter. The certification  
20 shall include the following information:

21 (i) The average number of hours per week the  
22 municipality provides police services through its  
23 municipal police department.

24 (ii) The average number of hours per week a regional  
25 police force or another municipality provides police  
26 services to the municipality.

27 (2) The commissioner shall submit annually to each  
28 municipality under subsection (a) an invoice stating the  
29 amount of payment due. The payment shall be due by April 1,  
30 2018, and each April 1 thereafter. Subject to paragraph (3),

1 the population of each municipality shall be based upon the  
2 most recent decennial census.

3 (3) For purposes of determining the population of a  
4 municipality under paragraph (2), the number of individuals  
5 residing in a State correctional facility situated in the  
6 municipality shall be excluded.

7 (d) Guidelines.--The State Police may adopt and use  
8 guidelines to implement the provisions of this act. The  
9 guidelines shall be published in the Pennsylvania Bulletin but  
10 shall not be subject to review under section 205 of the act of  
11 July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth  
12 Documents Law, sections 204(b) and 301(10) of the act of October  
13 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys  
14 Act, or the act of June 25, 1982 (P.L.633, No.181), known as the  
15 Regulatory Review Act.

16 Section 4. Municipality fees.

17 Notwithstanding any other provision of law, a municipality  
18 may impose and collect a fee at a rate not to exceed a rate  
19 sufficient to meet the requirements under section 3(b).

20 Section 5. Allocation of fees.

21 Money collected under this act shall be deposited into the  
22 General Fund as an augmentation to the State Police general  
23 government operations appropriation and shall be used to support  
24 State Police cadet classes and State Police services.

25 Section 6. Distressed municipalities.

26 Notwithstanding any other provision of this act, a  
27 municipality that is determined to be distressed under the act  
28 of July 10, 1987 (P.L.246, No.47), known as the Municipalities  
29 Financial Recovery Act, shall not be subject to the requirements  
30 of this act. A municipality that was once classified as

1 distressed under the Municipalities Financial Recovery Act, but  
2 is not currently deemed distressed by the Department of  
3 Community and Economic Development, shall be subject to the  
4 requirements of this act.

5 Section 7. Penalties.

6 The Commonwealth reserves the right to offset other payments  
7 to a municipality, including liquid fuel tax payments, if a  
8 municipality fails to comply with the requirements of this act.

9 Section 8. Effective date.

10 This act shall take effect immediately.