

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1614 Session of  
2019

INTRODUCED BY KAUFFMAN AND BRIGGS, JUNE 11, 2019

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 11, 2019

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in commencement of  
3 proceedings, further providing for Statewide municipal police  
4 jurisdiction, for nonmunicipal police extraterritorial  
5 jurisdiction and for agents of the Office of Attorney General  
6 and providing for interpretation.

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

9 Section 1. Section 8953(a)(3) of Title 42 of the  
10 Pennsylvania Consolidated Statutes is amended to read:

11 § 8953. Statewide municipal police jurisdiction.

12 (a) General rule.--Any duly employed municipal police  
13 officer who is within this Commonwealth, but beyond the  
14 territorial limits of his primary jurisdiction, shall have the  
15 power and authority to enforce the laws of this Commonwealth or  
16 otherwise perform the functions of that office as if enforcing  
17 those laws or performing those functions within the territorial  
18 limits of his primary jurisdiction in the following cases:

19 \* \* \*

20 (3) Where the officer [has been requested to aid or

1 assist any local, State or Federal law enforcement officer or  
2 park police officer or otherwise has probable cause to  
3 believe that the other officer is in need of aid or  
4 assistance.]:

5 (i) has been requested to aid or assist a Federal,  
6 State or local law enforcement officer or park police  
7 officer;

8 (ii) has probable cause to believe that a Federal,  
9 State or local law enforcement officer or park police  
10 officer is in need of aid or assistance; or

11 (iii) has been requested to participate in a  
12 Federal, State or local task force.

13 \* \* \*

14 Section 2. Sections 8953.1(a)(2) and 8953.2(a)(1) of Title  
15 42, added June 28, 2018 (P.L.415, No.57), are amended to read:  
16 § 8953.1. Nonmunicipal police extraterritorial jurisdiction.

17 (a) Power and authority.--In addition to a power and  
18 authority vested by law, a nonmunicipal police officer who is  
19 within this Commonwealth, but beyond the territorial limit of  
20 the jurisdiction established for the officer's nonmunicipal  
21 police department by law, shall have the power and authority to  
22 enforce the laws of this Commonwealth or to perform a function  
23 of a municipal police officer in the following circumstances:

24 \* \* \*

25 (2) If the officer [has been requested to immediately  
26 aid or assist a Federal, State or local law enforcement  
27 officer or park police officer or has probable cause to  
28 believe that the other officer is in need of aid or  
29 assistance.]:

30 (i) has been requested to immediately aid or assist

1 a Federal, State or local law enforcement officer or park  
2 police officer;

3 (ii) has probable cause to believe that a Federal,  
4 State or local law enforcement officer or park police  
5 officer is in need of aid or assistance; or

6 (iii) has been requested to participate in a  
7 Federal, State or local task force.

8 \* \* \*

9 § 8953.2. Agents of the Office of Attorney General.

10 (a) Power and authority.--An agent of the Office of Attorney  
11 General as defined in paragraph (2) of the definition of  
12 "enforcement officer" in 71 Pa.C.S. § 5102 (relating to  
13 definitions), in addition to the power and authority vested by  
14 law, shall have the power and authority to enforce the laws of  
15 this Commonwealth or to perform a function of a municipal police  
16 officer in the following circumstances:

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

22 (i) has been requested to immediately aid or assist  
23 a Federal, State or local law enforcement officer or park  
24 police officer;

25 (ii) has probable cause to believe that a Federal,  
26 State or local law enforcement officer or park police  
27 officer is in need of aid or assistance; or

28 (iii) has been requested to participate in a  
29 Federal, State or local task force.

30 \* \* \*

1 Section 3. Title 42 is amended by adding a section to read:  
2 § 8955. Interpretation.

3 The powers, authorities, duties, obligations and jurisdiction  
4 under this subchapter shall not be subject to the requirements  
5 of 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental  
6 cooperation).

7 Section 4. The addition or amendment of the following shall  
8 apply retroactively to law enforcement conduct on or after June  
9 15, 1982:

10 (1) The amendment of 42 Pa.C.S. §§ 8953(a)(3), 8953.1(a)

11 (2) and 8953.2(a)(1).

12 (2) The addition of 42 Pa.C.S. § 8955.

13 Section 5. The General Assembly declares that the addition  
14 or amendment of the following are intended to reverse the  
15 Pennsylvania Supreme Court's interpretation of 42 Pa.C.S. Ch. 89  
16 Subch. D, as set forth in *Commonwealth v. Hlubin* 2019 WL 2324272  
17 (Pa. 2019):

18 (1) The amendment of 42 Pa.C.S. §§ 8953(a)(3), 8953.1(a)

19 (2) and 8953.2(a)(1).

20 (2) The addition of 42 Pa.C.S. § 8955.

21 Section 6. This act shall take effect immediately.