

PUBLIC SAFETY/PUBLIC PROTECTION

Legislation from the 2015 – 2016 Session

Impersonating a Doctor (Act 10 of 2015, formerly SB 485): Increases the criminal grading for a person who impersonates a doctor of medicine and provides medical treatment from a second-degree misdemeanor to a first-degree misdemeanor, even if no actual harm to the patient results.

911 Updates (Act 12 of 2015, formerly HB 911): Updates and enhances Pennsylvania’s 911 emergency communications law by ensuring fiscal stability and financial accountability to county 911 centers; and enabling the centers to use new communication methods to report emergencies, including texting, calls from video and more. Improvements are funded through an updated 911 surcharge.

Counseling Services for Sex Offenders (Act 20 of 2015, formerly HB 73): Requires a provider of counseling services to notify the district attorney and law enforcement in the municipality in which the counseling center is located if it is providing services to sexually violent predators.

Stop Animal Fighting (Act 24 of 2015, formerly HB 164): Establishes the offense of “possession of animal fighting paraphernalia” as a third-degree misdemeanor to assist law enforcement officials in fighting the crime of animal fighting.

Mental Health Awareness Training (Act 25 of 2015, formerly HB 221): Requires municipal police officers and magisterial district judges receive training in the identification and recognition of those suffering from mental health conditions, intellectual disabilities and autism.

Sex Assault Evidence Reporting (Act 27 of 2015, formerly HB 272): Mandates timeframes and technical requirements for the submission and reporting of sexual assault evidence to assure sexual assault perpetrators are brought to justice with expediency and efficiency.

Campus Police Jurisdiction (Act 41 of 2015, formerly SB 678): Amends the Public School Code to modify the definition of “grounds” for the State System of Higher Education, thereby expanding campus police jurisdiction to areas immediately surrounding the campus.

Anti-Stalking and No Harassment: No Exceptions (Act 59 of 2015, formerly HB 874): Removes a special exemption for harassment, stalking and threatening to use weapons of mass destruction when committed during the course of a labor dispute.

Community Service Guidelines (Act 72 of 2015, formerly SB 130): Prohibits the practice of allowing those sentenced to community service to purchase credit toward that service in any form, including gift cards, cash or other forms of remuneration.

Substance Abuse Treatment Grant Pilot Program (Act 80 of 2015, formerly SB 524): Creates a pilot program within the Department of Corrections to provide grants to county correctional facilities with respect to treatment of inmates for drug or alcohol addiction.

Specifically, grants will be used to provide long-acting, non-narcotic, non-addictive medication to eligible offenders upon release from the county facility. The aim of the non-narcotic, non-addictive medication is to prevent the relapse of the inmate's opiate or alcohol addiction.

Criminal Records Information (Act 5 of 2016, formerly SB 166): Amends the Crimes Code concerning orders for limited access to criminal records and amends the Judicial Code concerning petitions for expungement or orders for limited access fees.

Domestic Violence and Divorce (Act 24 of 2016, formerly HB 12): Protects victims of domestic violence seeking divorce by enabling someone whose spouse had been convicted of certain personal injury crimes against him or her to use that crime as grounds for divorce and for the divorce to occur in 90 days. The bill also prevents judges from ordering counseling if an abused spouse had a protection from abuse order or had been the victim of a personal injury crime by the other spouse.

911 Updates (Act 30 of 2016, formerly HB 1310): Act 30 prohibits 911 centers from releasing certain identifying information regarding a 911 caller.

Anti-Hazing Law Enhancement (Act 31 of 2016, formerly HB 1574): Expands Pennsylvania's anti-hazing law to make hazing an offense if done to any person as a condition for initiation or admission into any organization and requires public and private secondary schools to enact anti-hazing policies.

Ignition Interlock Expansion (Act 33 of 2016, formerly SB 290): Establishes an "ignition interlock limited license" and expands the availability of ignition interlocks for first-time DUI offenders, addresses chemical tests to determine blood alcohol level, further restricts issuance of occupational limited licenses and clarifies the calculation of prior offenses.

Railroad Fees (Act 29 of 2016, formerly HB 1200): Repeals a redundant section of state law requiring railroads under bridges or viaducts to pay maintenance fees.

Motorcycle Licensing and Milk Hauling (Act 34 of 2016, formerly SB 1108): Amends the Vehicle Code to include the term "autocycle," allows autocycles to be titled and registered as a motorcycle while permitting them to be operated with a standard Class C driver's license, and also allows PennDOT to issue permits for milk hauling on interstate highways.

Juvenile Act Changes (Act 78 of 2016, formerly SB 917): Amends the Juvenile Act to allow the sharing of certain information among agencies which help delinquent and dependent children.

Tax Intercept for Restitution (Act 93 of 2016, formerly House Bill 1167): Requires Pennsylvania income tax refunds to be intercepted by the Department of Revenue to satisfy a filer's outstanding required restitution payments or other court-ordered obligations.

Contraband (Act 96 of 2016, formerly SB 533): Addresses the disposition of contraband seized by a county probation or parole officer from an offender under his or her supervision, outlining the circumstances under which it would be considered abandoned property.

Strangulation (Act 111 of 2016, formerly HB 1581): Establishes the crime of strangulation with felony grading, as is the case in nearly 35 other states.

Possession of Firearms (Act 134 of 2016, formerly HB 1496): Increases the grading and penalties for possession of a firearm by a convicted felon to a felony of the first degree, which carries a sentence of up to 20 years in prison and a \$25,000 fine.

Sentencing for Burglaries (Act 158 of 2016, formerly SB 1062): Increases sentencing where bodily injury crimes are committed during a burglary/criminal intrusion.

Pepper Spray in Prisons (Act 174 of 2016, formerly HB 2084): Requires the state Department of Corrections to issue pepper spray to all on-duty officers and employees in state prisons who may respond to an emergency situation.

Law Enforcement Involved Shooting (HB 1538 – vetoed by the governor): Prohibits the release of the name and identifying information of a law enforcement officer involved in a firearm discharge or use of force while an investigation is in progress.