

No. 1982-278

AN ACT

HB 118

Amending the act of October 10, 1974 (P.L.705, No.235), entitled "An act providing for the training and licensing of watch guards, protective patrolmen, detectives and criminal investigators, carrying and using lethal weapons in their employment; imposing powers and duties on the Commissioner of the Pennsylvania State Police; and providing penalties," further providing for certificates of qualification and exempting certain retired police officers from certain requirements and including officers of municipal authorities within the definition of "privately employed agents."

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

Section 1. The definition of "privately employed agents" in section 3, act of October 10, 1974 (P.L.705, No.235), known as the "Lethal Weapons Training Act," amended November 23, 1976 (P.L.1155, No.254), is amended to read:

Section 3. Definitions.—As used in this act:

* * *

"Privately employed agents" include any person employed for the purpose of providing watch guard, protective patrol, detective or criminal investigative services either for another for a fee or for his employer. Privately employed agents do not include local, State or Federal Government employees or those police officers commissioned by the Governor under the act of February 27, 1865 (P.L.225, No.228). *The term shall include a police officer of a municipal authority.*

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Section 2. Subsection (d) of section 6 of the act, amended February 20, 1982 (P.L.88, No.32), is amended to read:

Section 6. Certificate of Qualification.—* * *

(d) The fingerprints of the applicant shall be examined by the Pennsylvania State Police and the Federal Bureau of Investigation to determine if he has been convicted of or has pleaded guilty or nolo contendere to a crime of violence. The commissioner shall have the power to waive the requirement of Federal Bureau of Investigation examination [during any period when examinations are suspended by, or otherwise unavailable through, the Federal agency]. *Any fee charged by the Federal agency shall be paid by the applicant.*

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Section 3. The act is amended by adding a section to read:

Section 8.1. Retired Police Officer.—(a) A nondisability retired police officer of a Pennsylvania municipality or the Pennsylvania State Police shall be initially certified under this act, and need not meet the training and qualification standards or physical and psychological qualifications hereunder, if he was a full-time police officer for at least twenty

years, retired in good standing and has assumed the duties of a privately employed agent on or before three years from the date of his retirement. If a retired police officer commences his duties as a privately employed agent after three years from the date of his retirement he must meet the physical and psychological requirements of this act for certification under this section.

(b) A retired police officer initially certified under this section shall not be required to pay the application fee but shall pay the certification fee upon the submission of a completed application provided by the commissioner.

Section 4. This act shall take effect in 60 days.

APPROVED—The 14th day of December, A. D. 1982.

DICK THORNBURGH