

No. 2003-61

AN ACT

HB 485

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for municipal corporation portion of fines, for immunity of State parole officers and for immunity of county probation officers.

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

Section 1. Sections 3573(c)(1), 8332.7 and 8332.8 of Title 42 of the Pennsylvania Consolidated Statutes are amended to read:

§ 3573. Municipal corporation portion of fines, etc.

* * *

(c) Summary offenses.—Fines, forfeited recognizances and other forfeitures imposed, lost or forfeited under the following provisions of law shall, when any such offense is committed in a municipal corporation, be payable to such municipal corporation:

(1) Under the following provisions of Title 18 (relating to crimes and offenses):

Section 2709(a)(1), (2) and (3) (relating to harassment).

Section 3304 (relating to criminal mischief).

Section 3503 (relating to criminal trespass).

Section 3929 (relating to retail theft).

Section 4105 (relating to bad checks).

Section 5503 (relating to disorderly conduct).

Section 5505 (relating to public drunkenness).

Section 5511 (relating to cruelty to animals).

Section 6308 (relating to purchase, consumption, possession or transportation of intoxicating beverages).

Section 6501 (relating to scattering rubbish).

* * *

§ 8332.7. Immunity of State parole officers.

(a) Assistance of law enforcement personnel.—In addition to the provisions of section 27 of the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, or any other law, any parole officer appointed by the Pennsylvania Board of Probation and Parole who, after obtaining permission in advance from a person authorized by the Pennsylvania Board of Probation and Parole, assists *Federal, State or local [police] law enforcement officers or agents* or county probation officers in the lawful performance of their duties shall be considered to be acting within the scope of his official duty for all purposes of law and shall enjoy any benefit or immunity conferred upon an employee of the Commonwealth.

(b) Assistance of criminal victims.—In addition to any other immunity provided by law, any parole officer appointed by the Pennsylvania Board of Probation and Parole who is entitled to immunity under section 8331.3 (relating to criminal victim aid good Samaritan civil immunity) as a result of providing assistance to a victim of a crime shall be considered to be acting within the scope of his official duty while providing assistance to the victim for all purposes of law and shall enjoy any benefit or immunity conferred upon an employee of the Commonwealth.

§ 8332.8. Immunity of county probation officers.

(a) Assistance of law enforcement personnel.—In addition to the provisions of section 1 of the act of August 6, 1963 (P.L.521, No.277), entitled “An act providing that probation officers shall have the power of peace officers in the performance of their duties,” or any other law, any probation officer appointed by any court of record of this Commonwealth who, after obtaining permission in advance from a person authorized by the appointing court, assists *Federal, State or local [police] law enforcement officers or agents, State parole agents* or county probation officers in the lawful performance of their duties shall be considered to be acting within the scope of his official duty for all purposes of law and shall enjoy any benefit or immunity conferred upon an employee of that county.

(b) Assistance of criminal victims.—In addition to any other immunity provided by law, any probation officer appointed by any court of record of this Commonwealth who is entitled to immunity under section 8331.3 (relating to criminal victim aid good Samaritan civil immunity) as a result of providing assistance to a victim of a crime shall be considered to be acting within the scope of his official duty while providing assistance to the victim for all purposes of law and shall enjoy any benefit or immunity conferred upon an employee of that county.

Section 2. This act shall take effect in 60 days.

APPROVED—The 30th day of December, A.D. 2003.

EDWARD G. RENDELL