
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 854 Session of
2017

INTRODUCED BY GREINER, DEAN, JAMES, MENTZER, SIMMONS, D. COSTA,
ROEBUCK, GROVE AND GILLEN, MARCH 13, 2017

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 13, 2017

AN ACT

1 Amending Title 22 (Detectives and Private Police) of the
2 Pennsylvania Consolidated Statutes, in humane society police
3 officers, further providing for appointment by nonprofit
4 corporations, for qualifications for appointment and for
5 suspension, revocation, limitation and restriction of
6 appointment and restoration of appointment.

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

9 Section 1. Section 3704(a) of Title 22 of the Pennsylvania
10 Consolidated Statutes is amended and the section is amended by
11 adding a subsection to read:

12 § 3704. Appointment by nonprofit corporations.

13 (a) Application for appointment.--A society or association
14 may apply to the court of common pleas in any county for the
15 appointment of an individual as a humane society police officer
16 for that county[.] by providing proof of qualification under
17 section 3705 (relating to qualifications for appointment) to the
18 court of common pleas and to the district attorney. The court,
19 upon [such application which includes proof of qualification
20 under section 3705 (relating to qualifications for appointment),

1 shall] reviewing the application and considering the
2 recommendation, if any, of the district attorney, may by order
3 appoint such person to be a humane society police officer.

4 (a.1) Review.--Upon receipt of an application for
5 appointment of an individual as a humane society police officer,
6 the district attorney shall conduct a background investigation
7 of the applicant and, within 60 days, provide input to the
8 court.

9 * * *

10 Section 2. Sections 3705 and 3706(a) of Title 22 are amended
11 to read:

12 § 3705. Qualifications for appointment.

13 [An individual shall be qualified for an] In order for an
14 individual to be considered for appointment as a humane society
15 police officer [provided], the society or association [submits]
16 must submit proof satisfactory to the court of common pleas and
17 the district attorney in each county for which the society or
18 association directs the individual to act as a humane society
19 police officer that the individual [meets all of the following
20 requirements]:

21 (1) Has been a resident of this Commonwealth for the
22 previous 12 months.

23 (2) Has successfully completed the training program
24 established pursuant to section 3712 (relating to training
25 program).

26 (3) Has obtained a criminal history report from the
27 Pennsylvania State Police pursuant to 18 Pa.C.S. Ch. 91
28 (relating to criminal history record information) or a
29 statement from the Pennsylvania State Police that the
30 Pennsylvania State Police central repository contains no

1 pertinent information relating to the individual who is the
2 subject of the application. The criminal history record
3 information shall be limited to that which may be
4 disseminated pursuant to 18 Pa.C.S. § 9121(b)(2) (relating to
5 general regulations).

6 (4) Has not been convicted of an offense graded a felony
7 or a serious misdemeanor.

8 (5) Has not been convicted of any violation, including a
9 summary offense, of 18 Pa.C.S. § 5511 (relating to cruelty to
10 animals).

11 (6) Has not been convicted of an offense in another
12 jurisdiction, state, territory or country in accordance with
13 the laws of that jurisdiction, state, territory or country
14 equivalent to an offense graded a felony or a serious
15 misdemeanor or an offense of cruelty to animals.

16 § 3706. Suspension, revocation, limitation and restriction of
17 appointment; restoration of appointment.

18 (a) Grounds for suspension, revocation, limitation or
19 restriction.--By its own action, on petition by a district
20 attorney or pursuant to a written affidavit filed by a
21 complainant, the court of common pleas may, after conducting a
22 hearing, suspend, revoke, limit or restrict an appointment of an
23 individual to act as a humane society police officer in the
24 county if the court determines any of the following:

25 (1) Being convicted of a felony or a serious misdemeanor
26 in any Federal or State court or being convicted of the
27 equivalent of a felony in any foreign country, territory or
28 possession.

29 (2) Being convicted of an offense of cruelty to animals
30 in any Federal or State court or being convicted of the

1 equivalent of a cruelty to animals offense in any foreign
2 country, territory or possession.

3 (3) Presenting false credentials or documents or making
4 a false or misleading statement in the application for
5 appointment or a certification of completion of additional
6 training or submitting an application for appointment or a
7 certification for completion of additional training
8 containing a false or misleading statement.

9 (4) Carrying or possessing a firearm in the performance
10 of his or her duties without certification pursuant to
11 section 3711 (relating to limitation on possession of
12 firearms).

13 (5) The individual has conducted his or her authority to
14 enforce animal cruelty laws in a manner that is substandard
15 of conduct normally expected of humane society police
16 officers.

17 * * *

18 Section 3. This act shall take effect in 60 days.