

MUNICIPAL FEE FOR STATE POLICE COVERAGE OF LOCAL MUNICIPALITIES

Rep. Mike
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Lancaster County
96th Legislative District

House Bill 959

2019-20 Legislative Session

INTRODUCTION

House Bill 959 would require municipalities to pay a fee if the Pennsylvania State Police (PSP) provides their full-time local municipal police patrol services.

Nearly 22 percent of Pennsylvania's population relies solely on PSP for local patrol services without paying anything other than what we all pay through state taxes. The other nearly 80 percent of the population funds their own local police forces through local taxes in addition to paying state taxes for PSP without receiving PSP patrol services.

PSP reports it spends half of its time and budget providing full-time police coverage to the approximately 2 million people without a local police force.

Providing the funding for subsidized police coverage in these areas has been contentious. In 2016, PSP received \$802 million from the Motor License Fund (MLF), more than half of PSP's annual budget that fiscal year—money that was supposed to fund road and bridge maintenance.

Fortunately, the amount of funding PSP can now receive from the MLF is capped to ensure more MLF dollars go to their originally intended purpose of road and bridge maintenance.

However, that means PSP now needs a sustainable revenue source to maintain its current level of services. Asking 80 percent of the population to pay for police services for the other 20 percent simply cannot continue.

PSP estimates it costs \$234 per person to patrol areas without local police coverage.

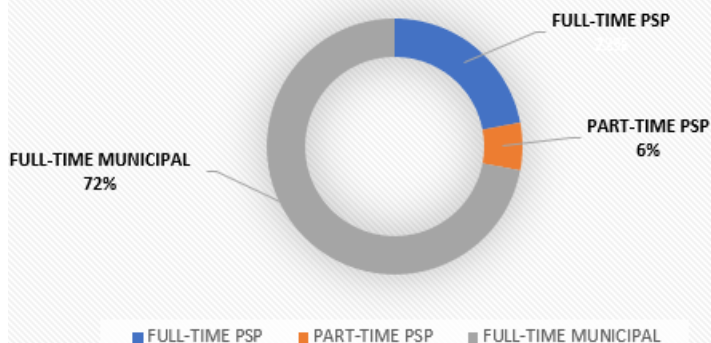
House Bill 959 would implement a fee that helps cover that cost, giving municipalities a bargain rate for patrol services and providing a steady revenue stream for the PSP.

See the reverse side for details about how House Bill 959 addresses the issue and generates a dedicated revenue source for the PSP from the regions that use their local patrol services.

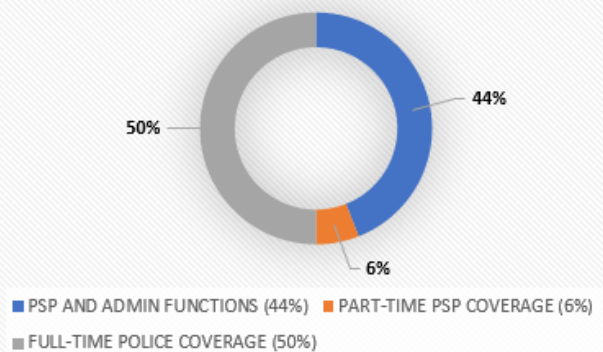
PSP COVERAGE -VS- BUDGET

Where is PSP's Time and Money Spent?

PSP POLICE COVERAGE (BY POPULATION)



PSP ANNUAL BUDGET



While the PSP provides full-time police coverage to approximately 22% of the population (left), their budget breakdown shows that the cost to patrol these areas accounts for 50% of their annual budget (right).

ABOUT THE BILL

House Bill 959 would assess a fee on municipalities where the PSP provides full-time local policing services. The fee would be assessed to the municipality on a per capita basis according to the most recent decennial census population, excluding the institutionalized population in State Corrections Institutions. Distressed Municipalities and those in Act 47 status are exempt from paying the fee.

The fee schedule is set on a sliding scale ranging from \$8.00 per capita for a municipality with a population up to 2,000, to \$166 per capita for municipalities with a population over 20,000. During its first year, the fee would raise an estimated \$104 million for PSP operations, services and cadet classes. Any fee increases would occur annually, based the Consumer Price Index for All Urban Consumers (CPI-U) for the Philadelphia-Camden-Wilmington, PA-NJ-DE-MD

area. If the CPI-U does not increase, neither would the fee.

The legislation would become effective immediately and invoices would be sent to municipalities no later than December 1 after the law is enacted. Payments would be due to the Commonwealth no later than April 1 after receiving the invoice. Rates, including any changes in fees, would be posted in the PA Bulletin prior to becoming effective.

Municipalities are granted the authority to adopt ordinances to allow for the collection of fees. However, although the fee would be assessed by the Commonwealth on a per capita basis, a municipality cannot generate revenue for this fee on a per capita basis. A municipality that does not pay the fee for PSP services could be subject to interest payments or having funding, including Liquid Fuel Tax monies, withheld.

PROPOSED FEE SCHEDULE

Population	Per Capita fee
1-2,000	\$8.00
2,001-3000	\$17.00
3,001-4,000	\$25.00
4,001-5000	\$33.00
5,001-6,000	\$42.00
6,001-7,000	\$50.00
7,001-8,000	\$58.00
8,001-9,000	\$66.00
9,001-10,000	\$75.00
10,001-11,000	\$83.00
11,001-12,000	\$91.00
12,001-13,000	\$100.00
13,001-14,000	\$108.00
14,001-15,000	\$116.00
15,001-16,000	\$125.00
16,001-17,000	\$133.00
17,001-18,000	\$141.00
18,001-19,000	\$149.00
19,001-20,000	\$158.00
More than 20,000	\$166.00

MUNICIPALITIES PAYING THE MOST UNDER HB 959

County	Municipality	Adjusted Population	Mills 2019	Median HH Income	Proposed Fee Total	Shale Fee 2017
Westmoreland	Hempfield Township	39,432	3	\$62,552	\$6,545,712	\$115,815
Lehigh	Lower Macungie Township	32,405	.5	\$83,193	\$5,379,230	\$0
Westmoreland	Unity Township	22,014	4.2	\$65,141	\$3,654,324	\$42,545
Franklin	Greene Township	17,630	0	\$63,917	\$2,485,830	\$0
Erie	Harborcreek Township	17,314	.966	\$63,917	\$2,441,274	\$0

MUNICIPALITIES PAYING THE LEAST UNDER HB 959

County	Municipality	Adjusted Population	Mills 2019	Median HH Income	Proposed Fee Total	Shale Fee 2017
Indiana	Smicksburg Borough	43	9	\$46,250	\$344	\$43
Somerset	Callimont Borough	39	2.75	\$73,750	\$312	\$72
Clinton	West Keating Township	29	1.2	\$35,625	\$232	\$4,150
Washington	Green Hills Borough	28	.7	\$68,000	\$224	\$357
Berks	New Morgan Borough	20	18.75	\$34,375	\$160	\$0

REP. MIKE STURLA

HOUSE DEMOCRATIC POLICY COMMITTEE CHAIRMAN • 96TH LEGISLATIVE DISTRICT • LANCASTER COUNTY

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 959 Session of
2019

INTRODUCED BY STURLA, McNEILL, SCHLOSSBERG, FRANKEL, DUNBAR,
SOLOMON, KINSEY, A. DAVIS, DeLUCA, PASHINSKI, READSHAW,
HARRIS, SANCHEZ, HILL-EVANS, GALLOWAY, KAUFER, ZABEL,
HARKINS, MULLINS, HOHENSTEIN, KULIK, DALEY, DONATUCCI,
JOHNSON-HARRELL, DEASY, McCLINTON, McCARTER, KIRKLAND,
COMITTA, STEPHENS, KORTZ, D. MILLER, SCHWEYER, KIM, OTTEN AND
DELLOSO, MAY 15, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 15, 2019

AN ACT

1 Imposing a fee on municipalities for services provided by the
2 Pennsylvania State Police; and providing for allocation of
3 funds and for penalties.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pennsylvania
8 State Police Municipal Police Services Support Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Commissioner." The Commissioner of the Pennsylvania State
14 Police.

15 "Municipality." A county, city, borough, incorporated town,
16 township or home rule municipality.

1 "State Police services." The provision of primary police
2 services by the Pennsylvania State Police to a municipality.
3 Section 3. State Police services fee.

4 (a) General rule.--A municipality that receives full-time
5 State Police services shall pay an annual per-resident fee to
6 the Commonwealth as provided under subsection (b).

7 (b) Amount.--

8 (1) The fee shall be calculated as follows for each
9 person residing in the municipality:

10 (i) For a municipality with a population of 1 to
11 2,000, the fee is \$8 per person.

12 (ii) For a municipality with a population of 2,001
13 to 3,000, the fee is \$17 per person.

14 (iii) For a municipality with a population of 3,001
15 to 4,000, the fee is \$25 per person.

16 (iv) For a municipality with a population of 4,001
17 to 5,000, the fee is \$33 per person.

18 (v) For a municipality with a population of 5,001 to
19 6,000, the fee is \$42 per person.

20 (vi) For a municipality with a population of 6,001
21 to 7,000, the fee is \$50 per person.

22 (vii) For a municipality with a population of 7,001
23 to 8,000, the fee is \$58 per person.

24 (viii) For a municipality with a population of 8,001
25 to 9,000, the fee is \$66 per person.

26 (ix) For a municipality with a population of 9,001
27 to 10,000, the fee is \$75 per person.

28 (x) For a municipality with a population of 10,001
29 to 11,000, the fee is \$83 per person.

30 (xi) For a municipality with a population of 11,001

1 to 12,000, the fee is \$91 per person.

2 (xii) For a municipality with a population of 12,001
3 to 13,000, the fee is \$100 per person.

4 (xiii) For a municipality with a population of
5 13,001 to 14,000, the fee is \$108 per person.

6 (xiv) For a municipality with a population of 14,001
7 to 15,000, the fee is \$116 per person.

8 (xv) For a municipality with a population of 15,001
9 to 16,000, the fee is \$125 per person.

10 (xvi) For a municipality with a population of 16,001
11 to 17,000, the fee is \$133 per person.

12 (xvii) For a municipality with a population of
13 17,001 to 18,000, the fee is \$141 per person.

14 (xviii) For a municipality with a population of
15 18,001 to 19,000, the fee is \$149 per person.

16 (xix) For a municipality with a population of 19,001
17 to 20,000, the fee is \$158 per person.

18 (xx) For a municipality with a population of more
19 than 20,000, the fee is \$166 per person.

20 (2) For the purposes of this act, the number of
21 residents of each municipality shall be the population of the
22 municipality reported in the most recent Federal decennial
23 census. Any individuals residing in a State correctional
24 facility situated within a municipality shall not be
25 residents of that municipality for purposes of this act.

26 (3) Effective July 1 of the year immediately following
27 the effective date of this subsection and each July 1
28 thereafter, each fee under paragraph (1) shall be increased
29 annually by an amount calculated by applying the percentage
30 increase, if any, in the Consumer Price Index for All Urban

1 Consumers (CPI-U) for the Philadelphia-Camden-Wilmington, PA-
2 NJ-DE-MD area for the most recent 12-month period for which
3 figures have been officially reported by the United States
4 Department of Labor, Bureau of Labor Statistics, immediately
5 prior to each July 1 to the then-current fees. The Office of
6 the Budget shall annually determine the percentage increase
7 and the amount of each new fee, and the Secretary of the
8 Budget shall publish such percentage increases and amounts in
9 the Pennsylvania Bulletin no later than June 1 of each year.

10 (c) Determination and payment.--By December 1, 2019, and by
11 December 1 of each year thereafter, the Commonwealth shall send
12 an invoice to each municipality stating the payment due from the
13 municipality calculated in accordance with subsection (b). Each
14 municipality which receives an invoice shall pay the amount due
15 to the Commonwealth no later than April 1, 2020, and no later
16 than each April 1 thereafter.

17 (d) Guidelines.--The Pennsylvania State Police may adopt and
18 use guidelines to implement the provisions of this act. The
19 guidelines shall be published in the Pennsylvania Bulletin but
20 shall not be subject to review under section 205 of the act of
21 July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth
22 Documents Law, sections 204(b) and 301(10) of the act of October
23 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys
24 Act, or the act of June 25, 1982 (P.L.633, No.181), known as the
25 Regulatory Review Act.

26 Section 4. Municipality fees.

27 Notwithstanding any other provision of law, a municipality
28 may enact an ordinance that imposes and collects a fee at a rate
29 sufficient to enable the municipality to pay the fee required by
30 this act. No tax, fee or other assessment imposed may be levied

1 by a municipality on a per capita basis for the purpose of
2 funding the fees under this act.

3 Section 5. Deposit of fee payments.

4 Money collected under this act shall augment the Pennsylvania
5 State Police general government operations appropriation from
6 the General Fund in the fiscal year in which the money is
7 received and shall be used by the Pennsylvania State Police to
8 support Pennsylvania State Police cadet classes and to provide
9 Pennsylvania State Police services.

10 Section 6. Distressed municipalities.

11 Notwithstanding any other provision of this act, a
12 municipality that is determined to be distressed under the act
13 of July 10, 1987 (P.L.246, No.47), known as the Municipalities
14 Financial Recovery Act, shall not be subject to the requirements
15 of this act. A municipality that was once determined to be
16 distressed under the Municipalities Financial Recovery Act, but
17 is not currently determined to be distressed by the Department
18 of Community and Economic Development, shall be subject to the
19 requirements of this act.

20 Section 7. Penalties.

21 The Commonwealth reserves the right to calculate the payment
22 due from a municipality under this act, or to offset any
23 payments of State money due a municipality, including liquid
24 fuel tax payments, or both, if the municipality fails to comply
25 with the requirements of this act.

26 Section 8. Effective date.

27 This act shall take effect immediately.