

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2771 Session of 2022

INTRODUCED BY BERNSTINE, GREINER, KAUFFMAN, RYAN, BOROWICZ, STAMBAUGH, MILLARD, E. NELSON, KEEFER, HAMM, GROVE, SMITH, ROWE AND ZIMMERMAN, AUGUST 22, 2022

REFERRED TO COMMITTEE ON EDUCATION, AUGUST 22, 2022

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in school security, providing for
6 school safety certification.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding a
11 section to read:

12 Section 1314.1-C. School safety certification.

13 (a) Certification.--A school district shall, in accordance
14 with this section, issue school safety certifications to
15 employees allowing an employee certified under subsection (c) to
16 possess a firearm or other lawful weapon in the course of the
17 employee's employment.

18 (b) Request for certification.--On a form prescribed by the
19 department, an employee of a school entity may submit a request

1 for a school safety certificate to the administration of the
2 school district in which the employee is employed.

3 (c) Approval of request.--Upon receipt of a request for a
4 school safety certificate under subsection (b), the school
5 district shall, within 45 days, grant a school safety
6 certificate to the employee so long as the employee provides the
7 following:

8 (1) Valid proof of employment by a school entity or
9 nonpublic school within the school district.

10 (2) A current full-face photograph that measures two
11 inches by two inches.

12 (3) Proof of a valid license to carry firearms issued
13 within this Commonwealth.

14 (4) A signed statement by an instructor certified by the
15 National Rifle Association in firearm instruction or by any
16 other instructor otherwise deemed competent to provide such
17 instruction by a judge of the court of common pleas in the
18 jurisdiction in which the school resides showing completion
19 of an in-person training and proficiency course for the type
20 of firearm or other lawful weapon the employee intends to
21 carry on school entity property. The statement shall be
22 subject to 18 Pa.C.S. § 4904 (relating to unsworn
23 falsification to authorities) and must demonstrate that:

24 (i) the course provided training in:

25 (A) the protection of students;

26 (B) interaction of license holders with first
27 responders;

28 (C) tactics for denying an intruder entry into a
29 classroom or school facility;

30 (D) safe handling and storage of weapons; and

1 (E) operating defensive weapons under duress;
2 (ii) the course included not less than 15 hours, and
3 not more than 30 hours, of instruction or as deemed
4 proficient by the certified instructor; and
5 (iii) the employee was required to demonstrate
6 hands-on safety and proficiency with the type of firearm
7 or other lawful weapon the employee intends to carry on
8 school property.

9 (d) Photograph required.--An employee who is issued a school
10 safety certificate shall annually submit to the school district
11 a current full-face photograph that measures two inches by two
12 inches.

13 (e) List of certified individuals.--

14 (1) Upon request by the Pennsylvania State Police or a
15 municipal police department, a school district shall provide
16 a complete list of the names with corresponding photographs
17 of all employees employed by school entities within the
18 school district who have been issued a school safety
19 certificate.

20 (2) A school district may not provide a list of
21 employees of a school entity under paragraph (1) to a
22 municipal police department that does not have jurisdiction
23 over the school entity.

24 (3) Notwithstanding information provided by the school
25 district to the Pennsylvania State Police or a municipal
26 police department under this subsection, names, lists,
27 pictures or other information identifying the name, existence
28 or identity of a person certified under this chapter shall be
29 confidential and not subject to public disclosure. A school
30 district, person or State or local governmental agency or

1 department that violates this chapter, resulting in the
2 dissemination of confidential material to the public, shall
3 be liable for civil damages in the amount of \$1,000 per
4 occurrence or three times the actual damages incurred as a
5 result of the violation, whichever is greater, as well as
6 reasonable attorney fees.

7 (f) Requirements not applicable.--The act of October 10,
8 1974 (P.L.705, No.235), known as the Lethal Weapons Training
9 Act, shall not apply to an employee issued a school safety
10 certificate for activities within the scope of employment for
11 the school entity.

12 (g) Definitions.--The following words and phrases when used
13 in this section shall have the meanings given to them in this
14 subsection unless the context clearly indicates otherwise:

15 "Firearm." As defined under 42 Pa.C.S. § 9712(e) (relating
16 to sentences for offenses committed with firearms).

17 "License to carry firearms." A license to carry a firearm
18 issued under 18 Pa.C.S. § 6109 (relating to licenses).

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