

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2143 Session of 2021

INTRODUCED BY B. MILLER, FEE, HENNESSEY, GREINER, MENTZER, JOZWIAK, MILLARD, HICKERNELL AND ROWE, DECEMBER 8, 2021

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, DECEMBER 15, 2021

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, in county correctional institutions,
3 further providing for establishment.

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

6 Section 1. Section 1731 of Title 61 of the Pennsylvania <--
7 Consolidated Statutes is amended to read:

8 SECTION 1. SECTION 1731 OF TITLE 61 OF THE PENNSYLVANIA <--
9 CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBSECTION TO READ:

10 § 1731. Establishment.

11 (a) General rule. <--

12 (1) In counties of the third, fourth and fifth class,
13 the persons now holding the following offices and their
14 successors in each county of the third, fourth or fifth class
15 shall compose a board to be known as the board of inspectors
16 of the jail or county prison.

17 (2) The following persons shall be members of the board:

18 (i) The president judge of the court of common pleas

1 ~~or a judge designated by him.~~

2 ~~(ii) The district attorney.~~

3 ~~(iii) The sheriff.~~

4 ~~(iv) The controller.~~

5 ~~(v) The county commissioners.~~

6 ~~(3) The board and the officers appointed by it shall~~
7 ~~provide for the safekeeping, discipline and employment of~~
8 ~~inmates and the government and management of the correctional~~
9 ~~institution.~~

10 ~~(4) The duty of the sheriff relating to the safekeeping~~
11 ~~of inmates shall cease and determine on their committal to~~
12 ~~the correctional institution, and the sheriff may not be~~
13 ~~furnished a residence in the correctional institution.~~

14 ~~(5) Notwithstanding the provisions of paragraph (2), the~~
15 ~~president judge may choose at any time to delete the judge~~
16 ~~position from the board by so notifying the chairperson and~~
17 ~~secretary of the board in writing. The decision to delete~~
18 ~~this position shall remain in effect for as long as the~~
19 ~~president judge making the decision shall remain as president~~
20 ~~judge and thereafter until rescinded in like fashion by a~~
21 ~~successor.~~

22 ~~(b) Counties that may elect to be subject to subchapter.~~
23 ~~Any county of the second class A, sixth, seventh or eighth class~~
24 ~~may elect by resolution of the county commissioners to be~~
25 ~~governed by the provisions of this subchapter.~~

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27 (C) COUNTIES OF THE SECOND CLASS A SUBJECT TO SUBCHAPTER.--A
28 COUNTY THAT ADVANCES IN CLASS TO BECOME A COUNTY OF THE SECOND
29 CLASS A ON OR AFTER OCTOBER 1, 2021, SHALL BE GOVERNED BY THE
30 PROVISIONS OF THIS SUBCHAPTER.

1 Section 2. A county subject to the provisions of 61 Pa.C.S.
2 Ch. 17 Subch. C shall continue to be governed by Subchapter C
3 notwithstanding any change in classification after the effective
4 date of this section.

5 Section 3. Section 2 of this act shall apply retroactively
6 to October 1, 2021.

7 Section 4. This act shall take effect December 31, 2021, or
8 immediately, whichever is later.