

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 201

Session of
1975

INTRODUCED BY CAPUTO, GEISLER, KERNICK, ITKIN, ROMANELLI,
ABRAHAM, VALICENTI, MRKONIC, RHODES, TRELLO, BONETTO,
M. M. MULLEN, COWELL, MENHORN, MISCEVICH, NOVAK, FLAHERTY,
SWEENEY, PARKER AND CESSAR, FEBRUARY 3, 1975

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, FEBRUARY 3, 1975

AN ACT

1 Amending the act of October 20, 1966 (3rd Sp.Sess., P.L.96,
2 No.6), entitled "An act relating to mental health and mental
3 retardation; authorizing county programs and amending,
4 revising and changing the laws relating thereto and making an
5 appropriation," transferring certain financial
6 responsibilities from the county to the Commonwealth.

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

9 Section 1. Section 505, act of October 20, 1966 (3rd
10 Sp.Sess., P.L.96, No.6), known as the "Mental Health and Mental
11 Retardation Act of 1966," is amended to read:

12 Section 505. Liability of County.--(a) [Whenever any person
13 is cared for in a facility while under conviction or sentence,
14 liability for all costs, payments or expenditures made on behalf
15 of such person is hereby imposed upon the county where he was
16 convicted or sentenced. Such liability shall cease upon the
17 expiration of a period not exceeding the maximum sentence which
18 was imposed, or if no sentence was imposed, of a period not to
19 exceed one-half of the maximum sentence which might have been

1 imposed or ten years, whichever is less.

2 (b) Whenever any person is committed for observation in
3 connection with any proceedings with reference to a criminal
4 act, liability for the costs of his observation, transportation,
5 maintenance and care shall be imposed upon the county from which
6 he was committed for the period of observation only, which shall
7 not exceed ninety days.

8 (c) Until the end of the period ending December 31, 1974 the
9 cost of caring for any person in a facility while under
10 conviction, sentence or observation shall be borne by the
11 respective counties in which the conviction or order for
12 observation was entered. During the period beginning January 1,
13 1975 and ending June 30, 1975 the cost of this care shall be
14 borne on a 50/50 basis between the respective county and the
15 Commonwealth. Commencing on July 1, 1975 and annually
16 thereafter, the total cost of such care shall be borne by the
17 Commonwealth.

18 (b) Any moneys expended by a county by reason of provisions
19 of this section may be recovered only from the mentally disabled
20 person or the person owing a legal duty to support such mentally
21 disabled person upon whom liability is hereby imposed.

22 Section 2. This act shall take effect immediately and be
23 retroactive to July 1, 1975.