

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2353 Session of  
1986

INTRODUCED BY SAURMAN, SEVENTY, FOX, BUNT, NAHILL, GEIST, FARGO,  
TRELLO, JOHNSON, WOGAN, J. TAYLOR, FATTAH, DAWIDA, CARN AND  
BIRMELIN, APRIL 14, 1986

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 14, 1986

AN ACT

1 Providing for a pilot program for counties for the purchase and  
2 use of electronic monitoring devices for certain offenders;  
3 providing further duties of the Pennsylvania Commission on  
4 Crime and Delinquency; and making an appropriation.

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

7 Section 1. Definitions.

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

11 "Commission." The Pennsylvania Commission on Crime and  
12 Delinquency.

13 Section 2. Program.

14 (a) Duty of commission.--The Pennsylvania Commission on  
15 Crime and Delinquency shall develop and administer a pilot  
16 program for counties for the purchase of electronic monitoring  
17 devices. These devices shall be used for the surveillance of  
18 offenders who are placed on probation in lieu of incarceration.

1 (b) Participation.--The commission shall solicit and receive  
2 applications from two or more counties for participation in the  
3 program.

4 (c) Requirements of commission.--The application shall  
5 contain an assurance that the applicant will comply with any  
6 reasonable requirements that the commission may adopt.

7 (d) Elements of plan.--The application shall include a plan  
8 containing the following elements:

9 (1) A specific identification of the type of offenders  
10 targeted for participation in the program.

11 (2) An assurance that participation by the offenders is  
12 on a voluntary basis.

13 (3) Adequate certification that the plan has been  
14 reviewed by and has received the approval of the president  
15 judge of the court of common pleas, the chief probation  
16 officer, the district attorney and the chairman of the county  
17 commissioners.

18 (e) Review of application by Pennsylvania Board of Probation  
19 and Parole.--The commission shall not approve an application  
20 unless the application has been reviewed by the Pennsylvania  
21 Board of Probation and Parole and the board certifies that the  
22 plan meets the board's county adult probation standards.

23 Section 3. Rules and regulations.

24 The commission may, in the manner provided by law, promulgate  
25 the rules and regulations necessary to carry out this act.

26 Section 4. Allocation of funds.

27 Participating counties shall provide 25% and the Commonwealth  
28 shall provide 75% of the funds necessary for the program. The  
29 funds shall be used for the purchase of the electronic monitor  
30 devices and any related equipment expenses and for the salaries

1 of any employees assigned responsibility for the program on a  
2 full-time basis. The commission's administrative costs should  
3 not exceed 10% of the total amount appropriated.

4 Section 5. Appropriation.

5 The sum of \$150,000, or as much thereof as may be necessary,  
6 is hereby appropriated to the Pennsylvania Commission on Crime  
7 and Delinquency for the fiscal year July 1, 1986, to June 30,  
8 1987, to carry out this act.

9 Section 6. Effective date.

10 This act shall take effect immediately.