

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 748

**PRINTER NO.** 1009

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

June 23, 2017

**PRIME SPONSOR**

Senator Argall

**DESCRIPTION AND PURPOSE OF BILL**

Senate Bill 748 establishes a freestanding act known as the "Public Safety Facilities Act." This legislation seeks to establish a clear process for consideration of proposed closures of state prisons and state police barracks.

Specifically, this legislation does the following:

- Defines "Closure" as the temporary or permanent shutdown of a single site that results in the loss or reassignment of employment and the cessation or relocation of primary operations for any period longer than 180 days;
- Defines "Political subdivision" as a county, city, borough, town, township or school district;
- Defines "Public entity" as a Commonwealth department or commission that owns or maintains direction and control over the work performed within a public safety facility;
- Defines "Public safety facility" as a State-owned or State-leased building or structure under the jurisdiction of the Pennsylvania State Police or Department of Corrections, including a barracks or state correctional institution, that for the previous 12 months employs 12 or more full-time individuals who are trained to provide law enforcement, security or care, custody and control of inmates.
- Establishes a list of stakeholders who must be notified, in writing, at least 12 months prior to a closure. The list of stakeholders shall include all of the following:
  1. The Governor's Office;
  2. The Secretary of Corrections or the Commissioner of the Pennsylvania State Police, whichever is not the public entity;
  3. The chairperson of the Pennsylvania Board of Probation and Parole;
  4. The chairperson of the Pennsylvania Commission on Crime and Delinquency;

# SENATE APPROPRIATIONS COMMITTEE

## FISCAL NOTE

5. The Secretary of Administration;
  6. The Secretary of General Services;
  7. The Secretary of Community and Economic Development;
  8. The Secretary of Labor and Industry;
  9. The Secretary of Human Services;
  10. All Federal, State and local elected officials of each political subdivision in which the public safety facility is located;
  11. Representatives of each employee labor organization that represents employees within the public safety facility; and
  12. Any other department, agency, board, commission or organization deemed necessary by the public entity or the Governor's Office.
- Imposes certain duties upon public entities proposing to close a public safety facility. These duties shall include the following:
    1. Request and analyze information from stakeholders regarding the impacts of the proposed closure;
    2. Hold at least one public hearing in the county in which the public safety facility is located at least 120 days prior to a final decision and announcement of a closure;
    3. Submit a written report detailing the recommendations from the stakeholders to the Governor, Majority Leader and Minority Leader of the Senate and Majority Leader and Minority Leader of the House of Representatives.
  - Provides that a public safety facility may be closed without complying with the above mentioned provisions if:
    1. It is determined by the Governor that its full use and occupation present an immediate threat to the life, health or safety of a classification of inmates or employees within the public safety facility or of the community.
    2. Written notice detailing the reasons for the closure is provided to the Majority Leader and Minority Leader of the Senate and the Majority Leader and Minority Leader of the House of Representatives at the time the decision is made or as soon as practicable thereafter.
  - Provides that if there becomes a final decision to close a public safety facility, the public entity must:
    1. Provide 30 days' written notice by certified mail to all of the following:
      - Federal, State and local elected officials of each political subdivision in which the public safety facility is located;

# SENATE APPROPRIATIONS COMMITTEE

## FISCAL NOTE

- The employee labor organizations representing employees of the public safety facility; and
  - The managerial employees of the public safety facility.
2. Coordinate with Commonwealth departments, political subdivisions and affected labor organizations to develop strategies that mitigate the impact of the closure.

This act shall take effect immediately.

### **FISCAL IMPACT:**

According to the Pennsylvania Department of Corrections (Department), there are "Statewide Facility Closure Guidelines" that the Department utilizes when proposing any facility closure. These guidelines contain many of the provisions proposed in this legislation. Generally, the Department of Corrections does not foresee any adverse fiscal impact resulting from the legislation. However, there potentially could be an adverse fiscal impact in instances where the one-year notification requirement of a proposed closure causes delays in closing facilities and such closings would otherwise result in cost savings. The immediate closure of a State Correctional Institution would save the Commonwealth approximately \$50 million.

According to the Pennsylvania State Police, enactment of this legislation would have no adverse fiscal impact on the agency.