

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1915 Session of
1989

INTRODUCED BY RYBAK, FREEMAN, GRUPPO, McHALE, RITTER, TIGUE,
MAYERNIK, WOGAN, TANGRETTI, COHEN, HALUSKA, DEMPSEY,
D. W. SNYDER, KOSINSKI, NOYE, CLYMER, RAYMOND, JACKSON,
JOHNSON, BUNT, ITKIN, SAURMAN, TRICH, McCALL, E. Z. TAYLOR,
STABACK, PISTELLA, MELIO, JOSEPHS, PESCI, MAINE, PRESTON,
LINTON AND NAHILL, OCTOBER 2, 1989

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 2, 1989

AN ACT

1 Amending the act of April 25, 1929 (P.L.694, No.297), entitled
2 "An act providing for the payment monthly by the counties to
3 the Department of Revenue of the expenses of keeping convicts
4 in State penitentiaries," providing for State reimbursement
5 to counties for imprisonment of certain prisoners in county
6 facilities.

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

9 Section 1. The title of the act of April 25, 1929 (P.L.694,
10 No.297), entitled "An act providing for the payment monthly by
11 the counties to the Department of Revenue of the expenses of
12 keeping convicts in State penitentiaries," is amended to read:

AN ACT

14 Providing for the [payment monthly by the counties to the
15 Department of Revenue of the] expenses of keeping convicts in
16 [State penitentiaries] correctional facilities.

17 Section 2. Section 1 of the act, amended March 23, 1972
18 (P.L.125, No.47), is amended to read:

1 Section 1. Be it enacted, &c., That (a) Until the end of
2 the period ending the thirtieth day of June, one thousand nine
3 hundred seventy-one the expenses of keeping the convicts in the
4 State penitentiaries shall be borne by the respective counties
5 in which they shall be convicted. During the period commencing
6 on the first day of July, one thousand nine hundred seventy-one
7 and ending on the thirtieth day of June, one thousand nine
8 hundred seventy-two, seventy-five per cent of the said expenses
9 shall be borne by the said counties and twenty-five per cent of
10 the said expenses shall be borne by the Commonwealth. During the
11 period commencing on the first day of July, one thousand nine
12 hundred seventy-two and ending on the thirtieth day of June, one
13 thousand nine hundred seventy-three, fifty per cent of the said
14 expenses shall be borne by the said counties and fifty per cent
15 of the said expenses shall be borne by the Commonwealth. During
16 the period commencing on the first day of July, one thousand
17 nine hundred seventy-three and ending on the thirtieth day of
18 June, one thousand nine hundred seventy-four, twenty-five per
19 cent of the said expenses shall be borne by the said counties
20 and seventy-five per cent of the said expenses shall be borne by
21 the Commonwealth. Commencing on the first day of July, one
22 thousand nine hundred seventy-four and annually thereafter, the
23 total of such expenses shall be borne by the Commonwealth.

24 (b) The said expenses to be borne by the said counties shall
25 be paid to the Department of Revenue, by orders to be drawn by
26 the duly authorized agents of said department at said
27 penitentiaries on the treasurers of the said counties, who shall
28 accept and pay same to the Department of Revenue. Promptly after
29 the last day of each calendar month, the agents of the
30 Department of Revenue shall transmit, by mail, to the

1 commissioners of such of the counties as may have become
2 indebted for convicts confined in said penitentiaries during
3 such calendar month, accounts of the expense of keeping said
4 convicts, which accounts shall be sworn or affirmed to by them;
5 and it shall be the duty of the said commissioners, immediately
6 on receipt of said accounts, to give notice to the treasurers of
7 their respective counties of the amount of said accounts, with
8 instructions to pay promptly to the Department of Revenue the
9 amounts of said orders when presented; and it shall be the duty
10 of such county treasurers to make such payments as instructed by
11 their respective county commissioners: Provided, That the
12 aforesaid accounts and orders, rendered as of the thirty-first
13 day of July, one thousand nine hundred twenty-nine, shall
14 include all amounts due the Commonwealth from the counties which
15 shall have accrued since the last prior billing of the said
16 counties by the respective boards of trustees of the several
17 penitentiaries: And provided also, That all salaries of the
18 wardens or superintendents, their deputies and assistants, the
19 guards and other officers engaged in managing the said
20 penitentiaries, or holding positions of authority over the
21 inmates therein, shall be paid by the State, and shall not be
22 included in computing the cost of keeping convicts in said
23 penitentiaries.

24 (c) Commencing on the first day of July, one thousand nine
25 hundred ninety, and annually thereafter, the Commonwealth shall
26 reimburse a county at the rate of forty dollars per day for:

27 (1) each convict kept in a correctional facility of the
28 county who is serving a sentence of not less than two years but
29 less than five years; and

30 (2) each convict kept in a correctional facility of the

1 county who has been committed or recommitted for a violation of
2 parole under section 17 of the act of August 6, 1941 (P.L.861,
3 No.323), referred to as the Pennsylvania Board of Probation and
4 Parole Law.

5 Section 3. This act shall take effect in 60 days.