

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2323 Session of
1978

INTRODUCED BY CAPUTO, KNEPPER, LOGUE, RAVENSTAHL, GEISLER,
DUFFY, FLAHERTY, MRKONIC, CESSAR, FISHER, ZORD, ABRAHAM,
NOVAK, PARKER, GOEBEL, GAMBLE, ITKIN, VALICENTI, TRELLO,
MISCEVICH, COWELL, GILLETTE, KERNICK AND IRVIS, APRIL 5, 1978

REFERRED TO COMMITTEE ON APPROPRIATIONS, APRIL 5, 1978

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 or Commonwealth.--(a)
13 [Whenever] Until June 30, 1978, whenever any person is cared for
14 in a facility while under conviction or sentence, liability for
15 all costs, payments or expenditures made on behalf of such
16 person is hereby imposed upon the county where he was convicted
17 or sentenced. Such liability shall cease upon the expiration of
18 a period not exceeding the maximum sentence which was imposed,
19 or if no sentence was imposed, of a period not to exceed one-

1 half of the maximum sentence which might have been imposed or
2 ten years, whichever is less. Commencing on July 1, 1978, and
3 annually thereafter, the total cost of such care shall be borne
4 by the Commonwealth.

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

11 (c) Any moneys expended by a county or the Commonwealth by
12 reason of provisions of this section may be recovered only from
13 the mentally disabled person or the person owing a legal duty to
14 support such mentally disabled person upon whom liability is
15 hereby imposed.

16 Section 2. This act shall take effect immediately.