

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 231 Session of  
1997

INTRODUCED BY CLARK, FAIRCHILD, TRELLO, STERN, ITKIN, CHADWICK,  
ZUG, ROONEY, BAKER, SCHULER AND WAUGH, FEBRUARY 4, 1997

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 4, 1997

AN ACT

1 Amending the act of May 16, 1921 (P.L.579, No.262), entitled, as  
2 amended, "An act providing for the better management of the  
3 jails or county prisons in the several counties of this  
4 Commonwealth of the third, fourth, fifth classes and in  
5 certain counties of the sixth, seventh and eighth classes by  
6 creating, in such counties, a board to be known by the name  
7 and style of inspectors of the jail or county prison, with  
8 authority to appoint a warden of such prison, and by vesting  
9 in said board, and the officers appointed by it, the safe-  
10 keeping, discipline, and employment of prisoners and the  
11 government and management of said jails or county prisons,"  
12 further providing for the board of prison inspectors; and  
13 making editorial changes.

14 The General Assembly of the Commonwealth of Pennsylvania  
15 hereby enacts as follows:

16 Section 1. Section 1 of the act of May 16, 1921 (P.L.579,  
17 No.262), referred to as the County Prison Board Law, reenacted  
18 and amended October 26, 1972 (P.L.1053, No.265) and amended  
19 April 28, 1978 (P.L.74, No.35), is amended to read:

20 Section 1. [Be it enacted, &c., That the] (a) (1) The  
21 persons now holding the following offices, and their successors,  
22 in all counties of this Commonwealth of the third, fourth, and  
23 fifth classes, shall compose a board, to be known by the name

1 and style of inspectors of the jail or county prisons, to wit:  
2 The president judge of the court of common pleas or a judge  
3 designated by him, the district attorney, the sheriff, the  
4 controller, and the commissioners of each of said counties; in  
5 which board, and the officers appointed by it, the safe-keeping,  
6 discipline, and employment of prisoners, and the government and  
7 management of said institution, shall be exclusively vested; and  
8 that the present responsibility of the sheriff of each of said  
9 counties in regard to the safe-keeping of the prisoners shall  
10 cease and determine on their committal to said prison, and such  
11 sheriff shall no longer be furnished a residence in said  
12 institution.

13 (2) Notwithstanding paragraph (1), the president judge of  
14 the court of common pleas may choose, at any time, to delete the  
15 judge position from the board by so notifying the chairperson  
16 and secretary of the board in writing. The decision to delete  
17 this position shall remain in effect for as long as the  
18 president judge making the decision shall remain as president  
19 judge, and thereafter until rescinded in like fashion by a  
20 successor.

21 (b) Any county of the sixth, seventh or eighth class may  
22 elect by resolution of the county commissioners to be governed  
23 by the provisions of this act.

24 Section 2. This act shall take effect in 60 days.