THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2014 Session of 1999

AN ACT

1 Providing for reimbursements to municipalities for expenses
2   incurred in assisting State correctional personnel in
3   attempting to ensure the safety of residents of areas
4   surrounding the prison and to recapture escaped prisoners.

5   The General Assembly of the Commonwealth of Pennsylvania

6 hereby enacts as follows:

7 Section 1. Short title.

8   This act shall be known and may be cited as the Community

9 Services Responder Reimbursement Act.

10 Section 2. Legislative findings and declarations.

11   (a) Findings.--The General Assembly finds as follows:

12   (1) From time to time, the Commonwealth experiences

13   escapes from or other disruptions at its correctional

14   institutions.

15   (2) Personnel from surrounding communities are required

16   to provide assistance to State correctional personnel to

1   ensure the safety of residents of surrounding areas and to

2   assist in the timely recapture of prisoners.

3   (3) Municipalities can no longer realistically afford or

4   be expected to provide assistance to State correctional

5   personnel at a financial loss.

6   (b) Declaration.--The General Assembly declares as follows:

7   It is imperative to establish for our municipalities a mechanism

8   and process whereby they can be reimbursed financially for

9   reasonable expenses related to responding to escapes and

10   attempted escapes, emergency situations and other incidents and

11   events at State correctional institutions.

12   Section 3. Definitions.

13   The following words and phrases when used in this act shall

14   have the meanings given to them in this section unless the

15   context clearly indicates otherwise:

16   "Department." The Department of Corrections of the

17   Commonwealth.

18   "Municipal emergency services department." A police or fire

19   department, ambulance service or rescue squad established,

20   operated and funded by a municipality.

21   "Municipality." A county, city, borough, incorporated town

22   or township.

23   "State correctional institution." A correctional facility,

24   jail or prison owned or operated by the Department of

25   Corrections.

26   Section 4. Commonwealth reimbursement required.

27   In the event a municipal emergency services department

28   responds to an escape, attempted escape, emergency situation,

29   incident or other event, at a State correctional institution,

30   the Commonwealth shall reimburse the municipality for the full

1 cost of personnel, equipment, materials and other costs

2 associated with the response.

3 Section 5. Reimbursement procedures.

4   (a) Documentation.--Each municipality which has a municipal

5 services department that responds to an incident or event at a

6 State correctional institution shall separately document the

7 personnel, equipment, materials and other costs associated with

8 the response. The documentation shall be filed with the

9 department on application forms supplied by the department.

10   (b) Reimbursement.--The department shall reimburse the

11 municipality within 60 days of receipt of the municipality's

12 application.

13   (c) Disputed costs.--In the event of a dispute between the

14 department and a municipality over the amount of reimbursement

15 applied for by a municipality, the disputed costs shall be

16 forwarded to the Board of Finance and Revenue for review and

17 decision. Decisions of the board may be appealed to the

18 Commonwealth Court.

19 Section 6. Retroactivity.

20   This act shall be retroactive to July 1, 1999.

21 Section 7. Effective date.

22   This act shall take effect immediately.