

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1575 Session of
2003

INTRODUCED BY DeWEESE, BEBKO-JONES, COY, BUNT, CRAHALLA, GEORGE,
GOODMAN, HANNA, HUTCHINSON, KIRKLAND, LAUGHLIN, LEDERER,
MUNDY, READSHAW, SATHER, SHANER, STERN, TRAVAGLIO, WANSACZ,
WHEATLEY, YOUNGBLOOD, TANGRETTI, BELARDI, DALEY, CAPPELLI,
FABRIZIO, GERGELY, GRUCELA, HARHAI, JOSEPHS, KOTIK, LEACH,
MARKOSEK, NAILOR, SAINATO, SCRIMENTI, SOLOBAY, TIGUE, WALKO,
WASHINGTON, WOJNAROSKI, YUDICHAK AND SURRA, JUNE 10, 2003

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 10, 2003

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," providing for minimum
21 number of corrections officers; and imposing limitations on
22 inmate capacity at State correctional institutions.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. The act of April 9, 1929 (P.L.177, No.175), known

as The Administrative Code of 1929, is amended by adding sections to read:

Section 915-B. Corrections Officers.--(a) Subject to the provisions of subsection (c), the Department of Corrections:

(1) is prohibited from reducing the number of corrections officers employed on the effective date of this section at all State correctional institutions; and

(2) is required to have, at a minimum, the number of corrections officers that the Department of Corrections' manpower surveys in place as of July 1, 2002, deem necessary for each State correctional institution unless the exception of subsection (c) is satisfied.

(b) A corrections officer vacancy at any State correctional institution shall be filled within thirty (30) days of the occurrence of the vacancy in accordance with applicable collective bargaining agreement or law in order to meet the requirement of subsection (a).

(c) The minimum number of corrections officers may be reduced under subsection (a) if such a reduction is the result of collective bargaining agreements or negotiating between the Department of Corrections and an employe organization representing corrections officers.

Section 916-B. Inmate Capacity at State Correctional Institutions.--The Department of Corrections is prohibited from exceeding one hundred thirty-five per centum (135%) of total inmate capacity at each State correctional institution.

Section 2. This act shall take effect immediately.