

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1265 Session of
2017

INTRODUCED BY HARKINS, V. BROWN, SCHLOSSBERG, KINSEY, D. MILLER,
DiGIROLAMO, FREEMAN, READSHAW AND PASHINSKI, APRIL 24, 2017

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 24, 2017

AN ACT

1 Amending the act of November 22, 1978 (P.L.1166, No.274),
2 entitled "An act establishing the Pennsylvania Commission on
3 Crime and Delinquency, providing for its powers and duties
4 establishing several advisory committees within the
5 commission and providing for their powers and duties,"
6 further providing for Pennsylvania Commission on Crime and
7 Delinquency; and establishing the Mental Health and Justice
8 Advisory Committee and the Mental Health and Justice Grant
9 Program.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 2(d)(2) of the act of November 22, 1978
13 (P.L.1166, No.274), referred to as the Pennsylvania Commission
14 on Crime and Delinquency Law, is amended and subsection (b) is
15 amended by adding a paragraph to read:

16 Section 2. Pennsylvania Commission on Crime and Delinquency.

17 * * *

18 (b) Composition.--The commission shall consist of the
19 following members:

20 * * *

21 (17.3) Chairman of the Mental Health and Justice

1 Advisory Committee.

2 * * *

3 (d) Term of office.--

4 * * *

5 (2) The term of the chairman of the Juvenile Justice and
6 Delinquency Prevention Committee and the chairman of the
7 Mental Health and Justice Advisory Committee shall be
8 concurrent with [his] their service as [chairman of that
9 committee] chairmen of their respective committees.

10 * * *

11 Section 2. The act is amended by adding sections to read:

12 Section 7.3. Mental Health and Justice Advisory Committee.

13 (a) Establishment.--The Mental Health and Justice Advisory
14 Committee is established within the commission.

15 (b) Composition.--The members of the committee shall be
16 appointed by the Governor and shall include representatives of
17 the Department of Corrections, the Department of Drug and
18 Alcohol Programs, the Department of Military and Veterans
19 Affairs, the Office of Mental Health and Substance Abuse
20 Services of the Department of Human Services, the Pennsylvania
21 Board of Probation and Parole, the Administrative Office of
22 Pennsylvania Courts, the Pennsylvania Commission on Sentencing,
23 units of local government, public and private agencies and
24 organizations which provide or advocate for mental health
25 treatment and services, agencies which provide housing for the
26 mentally ill, victim service agencies, drug and alcohol
27 treatment providers, police, district attorneys, public
28 defenders, judges of the courts of common pleas, county adult
29 and juvenile probation officers, county wardens and other
30 individuals with expertise in the public safety response and

1 management, treatment or provision of services to individuals
2 with mental illness involved in the juvenile justice or criminal
3 justice system.

4 (c) Term.--A member shall serve for a four-year term and may
5 be appointed for no more than one additional consecutive term.

6 (d) Number and qualifications.--The committee shall consist
7 of no more than 33 members, all of whom must have experience in
8 the public safety response and management, treatment or
9 provision of services to individuals with mental illness
10 involved in the juvenile justice or criminal justice system.

11 (e) Conditions of appointment.--The committee and its
12 members are subject to the same limitations and conditions
13 imposed upon the commission as prescribed in section 2(d), (e),
14 (h), (i), (m) and (n).

15 (f) Quorum.--A majority of the members shall constitute a
16 quorum and a vote of the majority of the members present shall
17 be sufficient for all actions.

18 (g) Chairman.--The Governor shall appoint a chairman from
19 among the members of the committee who shall serve at the
20 pleasure of the Governor. A vice chairman shall be designated by
21 the chairman and preside at meetings in the absence of the
22 chairman. The committee shall meet at the call of the chairman,
23 but not less than four times a year.

24 (h) Powers and duties.--The committee shall have the power
25 and its duty shall be:

26 (1) To serve in an advisory capacity to the commission
27 through the committee's participation in the development of
28 that part of the commission's comprehensive plan relating to
29 the provision of treatment and services to individuals with
30 mental illness involved in the juvenile justice and criminal

1 justice systems.

2 (2) To serve the commission in an advisory capacity
3 relating to the direct approval and disbursement of financial
4 assistance.

5 (3) To advise the commission on the definition,
6 development and correlation of programs and projects and the
7 establishment of priorities for the provision of treatment
8 and services to individuals with mental illness involved in
9 the juvenile justice and criminal justice systems.

10 (4) Upon request, to provide whatever assistance and
11 advice to the commission on any other matters relating to the
12 provision of treatment and services to individuals with
13 mental illness involved in the juvenile justice and criminal
14 justice systems.

15 (i) Resource and staff support.--The Department of Human
16 Services and the Department of Corrections shall cooperate with
17 the commission in providing resources to the commission in
18 support of the committee. Staff support shall be made available
19 to the committee by the executive director in order to
20 adequately perform the duties provided for in this section.

21 Section 8.2. Mental Health and Justice Grant Program.

22 (a) Establishment.--The Mental Health and Justice Grant
23 Program is established within the commission. The purpose of the
24 program shall be to provide grants in accordance with this
25 section.

26 (b) Awarding grants.--The commission shall award program
27 grants to assist in planning, implementing or expanding
28 initiatives that increase public safety, avert increased
29 spending on criminal justice and improve the effectiveness of
30 treatment services for individuals with mental illnesses,

1 substance abuse disorders or co-occurring mental health and
2 substance abuse disorders who are involved or at risk of
3 involvement with the criminal justice system.

4 (c) Number of grants.--The commission shall base the number
5 of program grants on the amount of funds appropriated by the
6 General Assembly and other funds available for the program.

7 Section 3. This act shall take effect in 90 days.