



HOUSE COMMITTEE ON APPROPRIATIONS
2009-10 Legislative

FISCAL NOTE

HOUSE BILL: 422

PRINTER'S NO: 466

PRIME SPONSOR: Freeman

FISCAL IMPACT SUMMARY	FY 2008/09	FY 2009/10
Expenditure Increase/(Decrease):		
Commonwealth Funds	\$0	\$0

OVERVIEW:

This bill amends §10(ee) of the Housing Authorities Law (1937 Act 265) to enable *all* housing authorities to hire police officers with the same powers as local government police officers, provided those officers complete basic and in-service training pursuant to the Title 53 (municipalities generally), Pa. C.S., Chapter 21, Subchapter D (Municipal Police Education and Training).

Sections 10(ee) and (ff) of Act 265 currently provide housing authorities in the cities of the second class (Pittsburgh) and first class (Philadelphia), respectively, with the power to hire police. The Philadelphia Housing Authority has an established police department with 33 full-time officers. The Housing Authority of the City of Pittsburgh, however, had one but it folded in 2007 because of funding and other issues. The Authority negotiated an arrangement with the City of Pittsburgh to hire its officers and to provide “above base-line police services” to the Authority, which costs the Authority about \$1 million annually.

In addition, Allegheny County Housing Authority has private police pursuant to Title 22, Pa.C.S., Chap.5, which requires approval of the Court of Common Pleas of the respective county. Judge Robert Dauer, now deceased, approved in 1983 private police for the Allegheny County Housing Authority. While Title 22 does not require training for these officers, the Authority voluntarily adheres to the standards. It has eight full-time police officers.

More recently, in the Year 2000, the Chester Housing Authority established a police department also under the provisions of Title 22. It has six full-time police officers.

According to the Pennsylvania Association of Housing and Redevelopment Authorities, there are 86 active housing authorities in the Commonwealth. Housing authorities in Pennsylvania do not receive state operating assistance. Their funding comes from the Federal government from various programs in addition to other revenue sources, such as rental payments. According to the U.S. Department of Housing and Urban Development, the Federal government no longer provides money directly to housing authorities for the hiring of police. Any funds used for police services would have to come out of federal operating assistance grants or other general revenue.

This bill has an effective date of sixty days.

ANALYSIS:

This bill does not mandate the hiring of police officers by housing authorities. It simply enables them to do so at their own expense and without seeking the approval of a Common Pleas Judge utilizing the provisions of Title 22. According to several sources, housing authorities typically struggle with inadequate operating revenue, and any decision to hire police would require prioritizing police above other operating and capital needs. Any authority, therefore, utilizing this proposed provision would likely weigh the decision carefully.

The additional requirement for training standards would be a cost borne by the authorities themselves and will not be reimbursable by the Commonwealth pursuant to the reimbursement provisions in Title 53, Chapter 21. The Pennsylvania State Police does not foresee any additional costs to the Municipal Police Education and Training Commission due to this bill.

The following entities were consulted in preparation of this fiscal note: The Pennsylvania Association of Housing and Redevelopment Authorities, the Allegheny County Housing Authority, the Housing Authority of the City of Pittsburgh, the Philadelphia Housing Authority, the Chester Housing Authority, the United States Department of Housing and Urban Affairs, the Pennsylvania State Police, and the Local Government Commission.

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House Appropriations Committee, (D)

DATE: June 30, 2009

General Note and Disclaimer: *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*