



HOUSE COMMITTEE ON APPROPRIATIONS
2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 1515 **PRINTER'S NO:** 4283 **PRIME SPONSOR:** Ross

FISCAL IMPACT SUMMARY	FY 2010/11	FY 2011/12
Expenditure Increase/(Decrease):		
First Class Township Funds	\$0	\$0

OVERVIEW:

This bill amends the First Class Township Code (1931 P.L. 1206, No. 331, reenacted 1949 P.L. 1955, No. 569) with respect to police officer and firefighter civil service provisions. According to the Local Government Commission, this bill brings the First Class Township Code into compliance with regulations and court decisions relating to the Americans with Disabilities Act of 1990 (ADA) and the Pennsylvania Human Relations Act (1955 Act 222).

Specifically, the bill clarifies that candidates shall submit to physical and agility tests (§635) as opposed to ADA prohibited pre-offer medical examinations; removes the ability of the township to disqualify someone on the basis of disability due to past or current addiction to alcohol or past addiction to narcotics (§637); specifies when medical examinations may occur in relation to written examinations, how veteran preference points are to be awarded, and how long eligibility lists are in effect (§638); specifies that a newly hired officer or firefighter during the probationary period may not be dismissed solely on the basis of his or her status as an addict (§640); and more clearly defines medical and psychological examinations and the procedure by which they may be administered (§643).

The Senate amended the bill to specify a process by which promotions in the police force shall be made. Specifically, the appointing officer or body shall select from a list of three candidates with the highest average of the last preceding promotional examination. The Senate also made editorial changes that, according to the Local Government Commission, make no substantive changes.

According the Pennsylvania Local Government Fact Sheet, published by the Department of Community and Economic Development (January 7, 2008), there are 92 first class townships.

The effective date is immediate.

ANALYSIS:

This bill brings the First Class Township Code into compliance with Federal law, regulations, and court decisions. It does not impose any administrative procedure or cost other than what is current standard practice. Updating the Code, however, may save a township from the expense of a lawsuit by eliminating the possibility of township officials inadvertently following the Code which is presently out of compliance with Federal standards.

The provision in the bill specifying the promotions process can be accomplished with current resources. It does not, therefore, have any fiscal impact.

The Local Government Commission provided information used in this fiscal note.

PREPARED BY: Erik Randolph, Senior Analyst
House Appropriations Committee, (D)

DATE: October 4, 2010

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.*