



HOUSE COMMITTEE ON APPROPRIATIONS

2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 1516

PRINTER'S NO: 4284

PRIME SPONSOR: Freeman

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

OVERVIEW:

This bill amends the act of May 31, 1933 (P.L. 1108, No. 272) dealing with firefighter civil service provisions for Third Class Cities. According to the Local Government Commission, this bill brings Act 272 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 (§4) as opposed to ADA prohibited pre-offer medical examinations; removes the ability of the city to disqualify someone on the basis of disability due to past or current addiction to alcohol or past addiction to narcotics (§5(a)); 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 (§6(a)); clarifies reasons that a newly hired officer or firefighter during the probationary period may be dismissed (§6(b)); more clearly defines medical and psychological examinations and the procedure by which they may be administered (§9); and relocates existing language relating to age requirements for new hires.

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 53 third class cities.

The effective date is immediate.

ANALYSIS:

This bill brings Act 272 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 Act 272, however, may save a city from the expense of a lawsuit by eliminating the possibility of city officials inadvertently following the Act 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.*