



HOUSE COMMITTEE ON APPROPRIATIONS
2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 1517

PRINTER'S NO: 4285 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 Third Class City Code (1931 P.L. 932, No. 317, reenacted 1951 P.L. 662, No. 164) with respect to police officer civil service provisions. According to the Local Government Commission, this bill brings the 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 more clearly defines medical and psychological examinations and the procedure by which they may be administered (§4401.1), and it clarifies that candidates shall submit to physical and agility tests (§4406) as opposed to ADA prohibited pre-offer medical examinations.

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 the Third Class City 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 city from the expense of a lawsuit by eliminating the possibility of city 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.

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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.*