



# HOUSE COMMITTEE ON APPROPRIATIONS

2009-10 Legislative Session

## FISCAL NOTE

**HOUSE BILL:** 1518

**PRINTER'S NO:** 2063

**PRIME SPONSOR:** Millard

FISCAL IMPACT SUMMARY	FY 2008/09	FY 2009/10
<b>Expenditure Increase/(Decrease):</b>		
Town of Bloomsburg Funds	\$0	\$0

### OVERVIEW:

This bill amends the Act of June 5, 1941 (P.L. 84, No. 45) dealing with police officer civil service provisions in incorporated towns. According to the Local Government Commission, this law only applies to incorporated towns because other laws regulating local governments have repealed these Act 45 provisions with respect to their application to the other classes of local government, and this bill brings Act 45 into compliance with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 (§11) as opposed to ADA prohibited pre-offer medical examinations; removes the ability of the town to disqualify someone on the basis of disability due to past or current addiction to alcohol or past addiction to narcotics (§13); 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 (§14); specifies that a newly hired officer during the probationary period may not be dismissed solely on the basis of his or her status as an addict (§16); and more clearly defines medical and psychological examinations and the procedure by which they may be administered (§19).

Bloomsburg, Columbia County, is the only incorporated town in Pennsylvania.

The effective date is immediate.

### ANALYSIS:

This bill brings Act 45 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 45, however, may save the town from the expense of a lawsuit by eliminating the possibility of town officials inadvertently following the Act which is presently out of compliance with Federal standards.

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

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

**DATE:** June 16, 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.*