



HOUSE COMMITTEE ON APPROPRIATIONS
2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 1520

PRINTER'S NO: 2065

PRIME SPONSOR: Gingrich

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

OVERVIEW:

This bill amends the Borough Code (1965 Act No. 581) with respect to police officer and firefighter civil service provisions. According to the Local Government Commission, this bill brings the Borough 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 (§1181) as opposed to ADA prohibited pre-offer medical examinations; removes the ability of the borough to disqualify someone on the basis of disability due to past or current addiction to alcohol or past addiction to narcotics (§1183); 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 (§1184); 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 (§1186); and more clearly defines medical and psychological examinations and the procedure by which they may be administered (§1189).

According the Pennsylvania Local Government Fact Sheet, published by the Department of Community and Economic Development (January 7, 2008), there are 959 boroughs.

The effective date is immediate.

ANALYSIS:

This bill brings the Borough 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 borough from the expense of a lawsuit by eliminating the possibility of borough officials inadvertently following the Code which is presently out of compliance with Federal standards.

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

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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.*