



**HOUSE COMMITTEE ON APPROPRIATIONS**  
2009-10 Legislative Session

**FISCAL NOTE**

**SENATE BILL:** 912

**PRINTER'S NO:** 1754

**PRIME SPONSOR:** Robbins

<b>FISCAL IMPACT SUMMARY</b>	<b>FY 2010/11</b>	<b>FY 2011/12</b>
<b>Expenditure Increase/(Decrease):</b>		
Town of Bloomsburg Funds	\$0	\$0

**OVERVIEW:**

Senate Bill 912 amends the act of June 1, 1945 (P.L. 1232, No. 427) dealing with firefighter civil service provisions for incorporated towns. According to the Local Government Commission, this law only applies to incorporated towns. The provisions of Act 427 applying to other classes of municipalities have been repealed. This bill brings Act 427 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 firefighter 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).

Additionally, the bill specifies 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.

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

The effective date is immediate.

**ANALYSIS:**

This bill brings Act 427 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 427, 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 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:** September 29, 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.*