

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

BILL NO. House Bill 1459

PRINTER'S NO. 1765

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

May 4, 2011

PRIME SPONSOR

Representative Ross

HISTORY OF BILL

Referred to LOCAL GOVERNMENT, May 4, 2011

Reported as committed, May 10, 2011

First consideration, May 10, 2011

Laid on the table, May 10, 2011

Removed from table, May 23, 2011

Second consideration, May 24, 2011

Re-committed to APPROPRIATIONS, May 24, 2011

Re-reported as committed, May 25, 2011

Third consideration and final passage, May 25, 2011 (199-0)

In the Senate

Referred to LOCAL GOVERNMENT, June 3, 2011

Reported as committed, June 21, 2011

First consideration, June 21, 2011

Re-referred to APPROPRIATIONS, June 23, 2011

Re-reported as committed, Oct. 24, 2011

DESCRIPTION AND PURPOSE OF BILL

House Bill 1459 amends The Third Class City Code (Act 317 of 1931) to provide for promotion procedures for civil service employees. The legislation amends section 4406.1 (Promotions) by adding specific language to clarify that the mayor or other elected or appointed official may continue to make appointments notwithstanding the language of section 4406.1.

House Bill 1459 addresses situations where promotions are made by the mayor or other elected or appointed official of a city that has adopted an optional charter or optional plan, or any other law authorizing or permitting the mayor or other elected or appointed official to promote a candidate.

The legislation is retroactive to October 19, 2010, which is the date of enactment of Act 77 of 2010. Act 77 brought the civil service procedures into compliance with the federal Americans with Disabilities Act of 1990 by amending provisions to expressly authorize the establishment of an eligibility list comprised of the top three scoring candidates of a promotional examination. House Bill 1459 validates the promotion by a mayor or other elected or appointed official despite the language of Act 77, which authorized council to promote if an examination was conducted.

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

This act shall take effect immediately.

FISCAL IMPACT:

The legislation will have no fiscal impact on Commonwealth or local funds.