

PRISONS AND PAROLE CODE (61 PA.C.S.) - NOTICE AND PUBLIC HEARING
RELATING TO COMMUNITY CORRECTIONS FACILITIES
Act of Oct. 7, 2010, P.L. 476, No. 65 Cl. 61

Session of 2010
No. 2010-65

HB 1281

AN ACT

Amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, providing for notice and a public hearing relating to community corrections facilities.

The General Assembly finds and declares as follows:

(1) The purpose of this act is to require notice and a hearing relating to any request for proposal issued by the Department of Corrections for beds in a community corrections facility for inmates with prerelease status or individuals who are on parole.

(2) The hearing will provide concerned parties the opportunity to receive information regarding the beds requested at a community corrections facility and the impact on the community.

(3) The hearing will also provide individuals with the opportunity to ask questions and express concerns relative to the request for proposal.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 61 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

CHAPTER 47
COMMUNITY CORRECTIONS FACILITIES

Sec.

4701. Definitions.

4702. Public hearing required.

4703. Public notice.

4711. Nonapplicability.

§ 4701. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Community corrections facility." A residential facility operated by a private vendor that houses inmates with prerelease status or individuals who are on parole pursuant to a contract entered into between the Department of Corrections and the private vendor.

§ 4702. Public hearing required.

(a) General rule.--

(1) A private vendor who intends to submit a bid to the department pursuant to a request for proposal for beds in a community corrections facility shall conduct a public hearing in the municipality of the proposed site.

(2) Paragraph (1) shall not apply to a bid submitted as the result of a renewal for an existing contract at a facility which has been in use for a minimum of five years.

(b) Conduct of hearing.--At the public hearing, the private vendor shall explain the operation of the community corrections

facility and shall permit public comments relating to the site and operation of the facility.

(c) Transcript.--The private vendor shall submit a transcript of the public hearing to the department as part of its bid pursuant to the request for proposal.

(d) Department review.--The department shall review the transcript and shall consider the substance of the public comments when awarding a contract pursuant to the request for proposal.

§ 4703. Public notice.

(a) Public notice.--The private vendor shall provide notice of the public hearing in a newspaper of general circulation on at least two different dates prior to the hearing. Each notice shall provide information regarding topic, location and time of the public hearing and a contact number for interested persons to call for additional information. The private vendor shall submit notarized statements attesting to the publishing of the notices to the department as part of its bid pursuant to the request for proposal.

(b) Notice to municipality.--The private vendor shall send a copy of the notice of the public hearing to the governing body of the municipality where the proposed site is located.

§ 4711. Nonapplicability.

This chapter shall not apply to any request for proposal issued prior to the effective date of this section.

Section 2. This act shall take effect in 60 days.

APPROVED--The 7th day of October, A.D. 2010.

EDWARD G. RENDELL