

HEALTH AND SAFETY (35 PA.C.S.) - CUSTODIAL CARE FACILITIES

Act of Jul. 13, 2004, P.L. 689, No. 73

Cl. 35

Session of 2004

No. 2004-73

SB 922

AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for custodial care facilities.

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

Section 1. Section 7102 of Title 35 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read: § 7102. Definitions.

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

* * *

"Custodial child care facility." A child day care center as defined under section 1001 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, or nursery school licensed or regulated by the Commonwealth.

* * *

Section 2. Sections 7313(1)(iii) and (4) and 7701(f) and (g) of Title 35 are amended to read: § 7313. Powers and duties.

The agency shall have the following powers and duties:

(1) To prepare, maintain and keep current a Pennsylvania Emergency Management Plan for the prevention and minimization of injury and damage caused by disaster, prompt and effective response to disaster and disaster emergency relief and recovery. The plan may include provisions for:

* * *

(iii) Assistance to Commonwealth [and] **agencies, local government officials, schools and custodial child care facilities** in designing emergency management plans and training programs.

* * *

(4) To provide technical advice and assistance to Commonwealth agencies [and], political subdivisions, **schools and custodial child care facilities** in the preparation of disaster emergency management plans or components thereof and to periodically review such plans and suggest or require revisions.

* * *

§ 7701. Duties concerning disaster prevention.

* * *

(f) Disaster **response and emergency preparedness** drills.--Annually, [as coordinated by the Pennsylvania Emergency Management Agency with local emergency management agencies,] **schools and custodial child care facilities** shall conduct at least one [tornado or other] disaster **response or emergency preparedness plan** drill. [All schools shall have disaster response plans.]

(g) Plans.--Every school district **and custodial child care facility**, in cooperation with the local Emergency Management Agency **and the Pennsylvania Emergency Management Agency**, shall develop and implement **a comprehensive disaster response and emergency preparedness [plans.] plan consistent with the guidelines developed by the Pennsylvania Emergency Management Agency and other pertinent State requirements**. The plan shall be reviewed annually and modified as necessary. A copy of the plan shall be provided to the county emergency management agency.

Section 3. This act shall take effect in 60 days.

Office of the Secretary of the Commonwealth

Harrisburg, July 28, 2004

I, Pedro A. Cortés, Secretary of the Commonwealth of Pennsylvania, DO HEREBY CERTIFY, That the attached act, Act 73, which became law without the Governor's signature on July 13 of 2004, A.D., is a true and correct copy and appears of record and remains on file in this office.

PEDRO A. CORTÉS
Secretary of the Commonwealth