

PUBLIC SAFETY FACILITIES ACT - ENACTMENT
Act of Oct. 24, 2018, P.L. 813, No. 133
An Act

Cl. 18

Providing for public safety facilities.

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

Section 1. Short title.

This act shall be known and may be cited as the Public Safety Facilities Act.

Section 2. Definitions.

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

"Closure." The temporary or permanent shutdown of a public safety facility that results in the loss or reassignment of employment and the cessation or relocation of primary operations for any period longer than 180 days.

"Political subdivision." A county, city, borough, town, township or school district.

"Public entity." The Department of Corrections or the Pennsylvania State Police.

"Public safety facility." A State correctional institution operated by the Department of Corrections or a station operated by the Pennsylvania State Police.

Section 3. Notice of proposed closure of public safety facilities and duties of public entities.

(a) General rule.--Except as provided under subsection (c), at the time a closure of a public safety facility is reasonably proposed and no later than three months prior to an announcement of a closure under section 4(1), the public entity shall provide written notice to all of the following stakeholders:

- (1) The Governor's Office.
- (2) The Secretary of Corrections or the Commissioner of Pennsylvania State Police, whichever is not the public entity.
- (3) The chairperson of the Pennsylvania Board of Probation and Parole.
- (4) The chairperson of the Pennsylvania Commission on Crime and Delinquency.
- (5) The Secretary of Administration.
- (6) The Secretary of General Services.
- (7) The Secretary of Community and Economic Development.
- (8) The Secretary of Labor and Industry.
- (9) The Secretary of Human Services.
- (10) All Federal, State and local elected officials of each political subdivision in which the public safety facility is located.
- (11) Representatives of each employee labor organization that represents employees within the public safety facility.
- (12) Any other department, agency, board, commission or organization deemed necessary by the public entity or the Governor's Office.

(b) Duties of public entity.--Except as provided under subsection (c), after providing notice of a proposed closure to stakeholders under subsection (a), the public entity shall:

- (1) Request and analyze information from stakeholders and any other relevant Commonwealth departments and local entities regarding the impacts of the proposed closure of the public safety facility on all of the following:

(i) State and local resources for the delivery of law enforcement and care, custody and control of inmates and the protection of public health, safety and welfare.

(ii) The work force of the public safety facility.

(iii) The State, regional and local economies and labor markets.

(iv) The financial resources of State and local entities.

(v) The feasibility of reusing or repurposing the public safety facility, including recommendations to make best use of available resources and programs.

(2) Hold at least one public hearing in the county in which the public safety facility is located prior to a final decision of a closure. Notice of the hearing shall be given in a newspaper of general circulation in the county at least 15 days prior to the date of the hearing.

(3) Make a written report detailing the recommendations from the stakeholders identified under subsection (a) to the Governor, the Majority Leader and Minority Leader of the Senate and the Majority Leader and Minority Leader of the House of Representatives.

(4) Provide public safety facility employees who are represented by an employee labor organization 60 days to complete and submit a selection form. The completion and submission of a selection form does not guarantee a placement for employment.

(c) Exception.--A public safety facility may be closed without complying with the provisions of subsections (a) and (b) if:

(1) It is determined by the Governor that its full use and occupation present a threat to the life, health or safety of a classification of inmates or employees within the public safety facility or of the community.

(2) Written notice detailing the reasons for the closure is provided to the Majority Leader and Minority Leader of the Senate and the Majority Leader and Minority Leader of the House of Representatives at the time the decision is made or as soon as practicable thereafter.

(3) It is determined by the Commissioner of Pennsylvania State Police that the public safety facility is a Pennsylvania State Police station relocating to a new facility and the station is not being closed to consolidate it with another station.

Section 4. Closure of public safety facilities.

If, after submission of the written report required under section 3(b)(3), a public entity elects to close a public safety facility, the public entity must:

(1) Announce the closure of the public safety facility to all of the following:

(i) Federal, State and local elected officials of each political subdivision in which the public safety facility is located.

(ii) The employee labor organizations representing employees of the public safety facility.

(iii) The managerial employees of the public safety facility.

(2) Coordinate with Commonwealth departments, political subdivisions and affected labor organizations to develop strategies that mitigate the impact of the closure on all of the following:

(i) The delivery of law enforcement.

(ii) The care, custody and control of inmates.

(iii) The work force of the public safety facility.

(iv) The regional and local economies.

(3) Finish closure of the public safety facility no sooner than four months from the announcement under paragraph (1).

Section 5. Effective date.

This act shall take effect immediately.