
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 413 Session of
1997

INTRODUCED BY WILLIAMS, SALVATORE, SCHWARTZ, AFFLERBACH, O'PAKE,
KITCHEN, MELLOW, KUKOVICH, STOUT, COSTA AND MUSTO,
FEBRUARY 7, 1997

REFERRED TO AGING AND YOUTH, FEBRUARY 7, 1997

AN ACT

1 Establishing the Advisory Council on the Needs of Children of
2 Incarcerated Parents and providing for its powers and duties.

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

5 Section 1. Definitions.

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

9 "Council." The Advisory Council on the Needs of Children of
10 Incarcerated Parents established in section 2.

11 Section 2. Establishment.

12 There is hereby established an advisory council to be known
13 as the Advisory Council on the Needs of Children of Incarcerated
14 Parents.

15 Section 3. Composition.

16 (a) Members.--The council shall consist of the following:

17 (1) One member of the Senate appointed by the Majority

1 Leader of the Senate.

2 (2) One member of the Senate appointed by the Minority
3 Leader of the Senate.

4 (3) One member of the House of Representatives appointed
5 by the Majority Leader of the House of Representatives.

6 (4) One member of the House of Representatives appointed
7 by the Minority Leader of the House of Representatives.

8 (5) The Secretary of Corrections or the secretary's
9 designee.

10 (6) The Secretary of Education or the secretary's
11 designee.

12 (7) The Secretary of Health or the secretary's designee.

13 (8) The Secretary of Public Welfare or the secretary's
14 designee.

15 (9) Two members of the Incarcerated Women's Advisory
16 Committee of the Department of Corrections.

17 (10) Two members with an academic background in the area
18 of corrections, one appointed by the President pro tempore of
19 the Senate and one appointed by the Minority Leader of the
20 Senate.

21 (11) Two physicians, one appointed by the Speaker of the
22 House of Representatives and one appointed by the Minority
23 Leader of the House of Representatives.

24 (12) Five members of the general public to be appointed
25 by the Governor. At least one must be a representative of an
26 inmate advocacy organization, one a representative of a child
27 advocacy organization, one a primary caregiver of a child
28 with an incarcerated parent and one a former inmate.

29 (b) Organization.--The council shall provide for its
30 organization and procedure, including the annual election of a

1 chairman and such other officers as deemed necessary.

2 Section 4. Expenses.

3 The members of the council shall receive no compensation for
4 their services on the council but shall be reimbursed for any
5 reasonable and necessary expenses incurred in the performance of
6 their duties, in accordance with the rules of the Executive
7 Board.

8 Section 5. Meetings.

9 The council shall meet at least nine times and upon the
10 request of the chairman or of four members of the council.
11 Meetings shall be open to the public.

12 Section 6. Powers and duties.

13 The council shall have the following powers and duties:

14 (1) To determine how many minor children have a parent
15 who is incarcerated either in a jail or prison setting and
16 within that population how many minor children have parents
17 who are their primary caretaker.

18 (2) To identify the unique challenges and strengths of
19 children whose parents are incarcerated.

20 (3) To identify national and State programs in both
21 institutional and community settings that are designed to
22 meet the needs of children whose parents are incarcerated.

23 (4) To determine the degree to which the presence of the
24 minor children of the offender impacts the criminal justice
25 system's processes from the point of arrest through release
26 or parole.

27 (5) To determine whether existing State statutes and
28 policies encourage the provision of support to meet the needs
29 of children whose parents are incarcerated.

30 (6) To determine whether changes in legislation, policy

1 or programs are necessary to support the children of
2 incarcerated parents.

3 (7) To perform such other duties as the Governor may
4 assign in planning for the needs of children whose parents
5 are incarcerated.

6 Section 7. Reports to General Assembly.

7 The council shall make three reports to the General Assembly
8 relating to its work, together with any recommendations for
9 legislation. Two interim reports shall be made within six months
10 and 12 months from the effective date of this act, and a final
11 report shall be made within 18 months of the effective date of
12 this act.

13 Section 8. Applicability of other law.

14 The act of December 7, 1990 (P.L.615, No.156), known as the
15 Official Visitation of Prisons Act, shall apply to members of
16 the council.

17 Section 9. Administrative support.

18 The Department of Corrections, the Department of Education
19 and the Department of Public Welfare shall provide the council
20 with necessary administrative and clerical support services.

21 Section 10. Expiration.

22 This act shall expire 18 months following the effective date
23 of this act, unless extended by the General Assembly.

24 Section 11. Effective date.

25 This act shall take effect in 60 days.