

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**SENATE BILL**

**No. 281**      Session of  
2005

---

INTRODUCED BY KASUNIC, COSTA, STOUT, BOSCOLA, LAVALLE, KITCHEN  
AND LOGAN, FEBRUARY 15, 2005

---

REFERRED TO JUDICIARY, FEBRUARY 15, 2005

---

AN ACT

1 Requiring testing of State correctional facility personnel for  
2 controlled substances; providing for a review of certain  
3 hiring policies; and requiring reports.

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

6 Section 1. Definitions.

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

10 "Commissioner." The Commissioner of Corrections of the  
11 Commonwealth.

12 "Department." The Department of Corrections of the  
13 Commonwealth.

14 Section 2. Random drug testing.

15 The department shall randomly test State correctional  
16 facility personnel to detect the presence of controlled  
17 substances or designer drugs as defined under the act of April  
18 14, 1972 (P.L.233, No.64), known as The Controlled Substance,

1 Drug, Device and Cosmetic Act. Ten percent of the personnel at  
2 each State correctional facility shall be tested on a bimonthly  
3 basis. The department shall promulgate regulations to administer  
4 this section.

5 Section 3. Hiring policy.

6 The department shall review State correctional facility  
7 hiring policies with respect to correctional facility guards and  
8 submit a written report containing findings and recommendations  
9 for improvement. The report shall be submitted to the Judiciary  
10 Committee of the Senate and the Judiciary Committee of the House  
11 of Representatives no later than 90 days following the effective  
12 date of this act.

13 Section 4. Report of commissioner.

14 The commissioner shall appear before the Judiciary Committee  
15 of the Senate and the Judiciary Committee of the House of  
16 Representatives annually during the four years following the  
17 effective date of this act. The commissioner shall report on the  
18 current status, nature and extent of problems related to  
19 controlled substances and other drugs in State correctional  
20 facilities, including the unauthorized use, possession or  
21 distribution of controlled substances and designer drugs by  
22 correctional facility personnel, and make recommendations that  
23 address these problems.

24 Section 5. Effective date.

25 This act shall take effect in 60 days.