
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 748 Session of
2017

INTRODUCED BY ARGALL, BAKER, BROOKS, FONTANA, YUDICHAK, GORDNER,
RAFFERTY, WARD AND COSTA, JUNE 23, 2017

REFERRED TO STATE GOVERNMENT, JUNE 23, 2017

AN ACT

1 Providing for public safety facilities.

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

4 Section 1. Short title.

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

7 Section 2. Definitions.

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

11 "Closure." The temporary or permanent shutdown of a single
12 site that results in the loss or reassignment of employment and
13 the cessation or relocation of primary operations for any period
14 longer than 180 days.

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

17 "Public entity." A Commonwealth department or commission

1 that owns or maintains direction and control over the work
2 performed within a public safety facility.

3 "Public safety facility." A State-owned or State-leased
4 building or structure under the jurisdiction of the Pennsylvania
5 State Police or Department of Corrections, including a barracks
6 or State correctional institution, that for the previous 12
7 months employs 12 or more full-time individuals who are trained
8 to provide law enforcement, security or care, custody and
9 control of inmates.

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

12 (a) General rule.--Except as provided under subsection (c),
13 at the time a closure of a public safety facility is reasonably
14 proposed and no later than 12 months prior to a closure, the
15 public entity shall provide written notice to all of the
16 following stakeholders:

17 (1) The Governor's Office.

18 (2) The Secretary of Corrections or the Commissioner of
19 the Pennsylvania State Police, whichever is not the public
20 entity.

21 (3) The chairperson of the Pennsylvania Board of
22 Probation and Parole.

23 (4) The chairperson of the Pennsylvania Commission on
24 Crime and Delinquency.

25 (5) The Secretary of Administration.

26 (6) The Secretary of General Services.

27 (7) The Secretary of Community and Economic Development.

28 (8) The Secretary of Labor and Industry.

29 (9) The Secretary of Human Services.

30 (10) All Federal, State and local elected officials of

1 each political subdivision in which the public safety
2 facility is located.

3 (11) Representatives of each employee labor organization
4 that represents employees within the public safety facility.

5 (12) Any other department, agency, board, commission or
6 organization deemed necessary by the public entity or the
7 Governor's Office.

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

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

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

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

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

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

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

26 (2) Hold at least one public hearing in the county in
27 which the public safety facility is located at least 120 days
28 prior to a final decision and announcement of a closure.

29 (3) Make a written report detailing the recommendations
30 from the stakeholders identified under subsection (a) to the

1 Governor, the Majority Leader and Minority Leader of the
2 Senate and the Majority Leader and Minority Leader of the
3 House of Representatives.

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

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

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

16 Section 4. Closure of public safety facilities.

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

20 (1) Provide 30 days' written notice by certified mail to
21 all of the following:

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

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

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

29 (2) Coordinate with Commonwealth departments, political
30 subdivisions and affected labor organizations to develop

1 strategies that mitigate the impact of the closure on all of
2 the following:

3 (i) The delivery of law enforcement.

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

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

6 (iv) The regional and local economies.

7 Section 5. Effective date.

8 This act shall take effect immediately.