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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1227 Session of  
2022

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INTRODUCED BY BAKER, SANTARSIERO, COSTA, PHILLIPS-HILL,  
BARTOLOTTA, FONTANA, COLLETT, A. WILLIAMS, GORDNER,  
CAPPELLETTI, LAUGHLIN, KEARNEY, MENSCH, KANE AND SCHWANK,  
MAY 10, 2022

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REFERRED TO AGING AND YOUTH, MAY 10, 2022

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AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," in children and youth,  
4 providing for purpose.

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

7 Section 1. The act of June 13, 1967 (P.L.31, No.21), known  
8 as the Human Services Code, is amended by adding a section to  
9 read:

10 Section 701.1. Purpose.--(a) The purpose of this article  
11 is:

12 (1) To protect children from abuse and neglect.

13 (2) To provide for the care, protection, safety and  
14 wholesome mental and physical development of children coming  
15 within the provision of 42 Pa.C.S. Ch. 63 (relating to juvenile  
16 matters) or children who are receiving services enumerated in  
17 this article.

18 (3) To preserve the unity of the family whenever possible or

1 to provide an alternative permanent family as soon as possible  
2 when the unity of the family cannot be maintained.

3 (4) Consistent with the protection of the public interest,  
4 to provide for children committing delinquent acts, programs of  
5 supervision, care and rehabilitation which provide balanced  
6 attention to the protection of the community, the imposition of  
7 accountability for offenses committed and the development of  
8 competencies to enable children to become responsible and  
9 productive members of the community.

10 (5) To achieve the purposes in a family environment whenever  
11 possible, separating the child from the child's parents only  
12 when necessary for the child's welfare, safety or health or in  
13 the best interests of public safety.

14 (b) In accordance with the purposes set forth in subsection  
15 (a) and the mandate of 42 Pa.C.S. Ch. 63, that the court, upon  
16 finding a child to be a dependent child, shall enter an order of  
17 disposition that is best suited to the safety, protection and  
18 physical, mental and moral welfare of the child, the department  
19 shall prioritize the following objectives:

20 (1) To increase the use of nonplacement services designed to  
21 prevent child abuse and neglect and to strengthen families so  
22 that children's safety is increased and the risk to children is  
23 minimized.

24 (2) If placement is necessary, to use kinship care as the  
25 first priority. If kinship care is not available or appropriate,  
26 to use family foster care as an alternative.

27 (3) To reduce the use of congregate-living and institutional  
28 placements.

29 (4) To improve permanency for children to reduce the  
30 duration of out-of-home placement.

1 (c) In accordance with the purposes set forth in subsection  
2 (a) and the mandate under 42 Pa.C.S. Ch. 63., that the court,  
3 upon finding a child to be a delinquent child, shall enter an  
4 order of disposition that is consistent with protection of the  
5 public, the imposition of accountability for offenses committed  
6 and the development of competencies to enable the child to  
7 become a responsible and productive member of the community, the  
8 department shall attempt to accomplish the following goals:

9 (1) To increase the use of in-home services when consistent  
10 with the protection of the public and the rehabilitation needs  
11 of delinquent children.

12 (2) With respect to the placement of delinquent children:

13 (i) To encourage use of the in-home services when consistent  
14 with the protection of the public and the treatment, supervision  
15 and rehabilitation needs of delinquent children.

16 (ii) To operate and encourage the development of placement  
17 resources that provide for a duration of placement that is  
18 consistent with the protection of the public and the treatment,  
19 supervision and rehabilitation needs of delinquent children.

20 (iii) To encourage the development of placement resources  
21 that provide for a duration of placement that is consistent with  
22 the protection of the public and the treatment, supervision and  
23 rehabilitation needs of delinquent children.

24 (iv) To encourage the development of services and  
25 programming to facilitate the successful transition of  
26 delinquent children to their communities from periods of  
27 residential placement.

28 Section 2. This act shall take effect in 60 days.