
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1038 Session of
2015

INTRODUCED BY WHITE, SCHWANK, RAFFERTY, VULAKOVICH, COSTA,
MENSCH, WARD AND HAYWOOD, DECEMBER 5, 2015

REFERRED TO LOCAL GOVERNMENT, DECEMBER 5, 2015

AN ACT

1 Amending the act of May 17, 1921 (P.L.840, No.293), entitled "An
2 act creating a board of managers to have exclusive
3 jurisdiction over all houses of detention for the reception
4 of untried juvenile offenders and neglected and dependent
5 children who may be under judicial investigation, in counties
6 of the third class, and abolishing the boards of managers now
7 in charge of such houses," further providing for board of
8 managers.

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

11 Section 1. The title and section 1 of the act of May 17,
12 1921 (P.L.840, No.293), entitled "An act creating a board of
13 managers to have exclusive jurisdiction over all houses of
14 detention for the reception of untried juvenile offenders and
15 neglected and dependent children who may be under judicial
16 investigation, in counties of the third class, and abolishing
17 the boards of managers now in charge of such houses," are
18 amended to read:

19 AN ACT

20 Creating a board of managers to have exclusive jurisdiction over
21 all [houses of detention] county operated facilities, through

1 a licensed child welfare agency or otherwise approved by the
2 court for the reception of [untried juvenile offenders and
3 neglected and dependent children who may be under judicial
4 investigation] alleged or adjudicated delinquent children or
5 dependent children, in counties of the third class[, and
6 abolishing the boards of managers now in charge of such
7 houses].

8 Section 1. (a) Be it enacted, &c., That hereafter, in
9 counties of the third class of this Commonwealth, the exclusive
10 jurisdiction over all [houses of detention] county operated
11 facilities, through a licensed child welfare agency or otherwise
12 approved by the court for the reception of [untried juvenile
13 offenders and neglected and dependent children, under the age of
14 sixteen years] alleged or adjudicated delinquent children or
15 dependent children as defined in 42 Pa.C.S. § 6302 (relating to
16 definitions), who may be in the custody of an officer appointed
17 or elected under any law of this Commonwealth, and whose case
18 may be under judicial investigation, shall be vested in a board
19 of managers, which shall consist of the president judge of the
20 court of common pleas or a judge designated by the president
21 judge, the county commissioners, the sheriff, and the county
22 controller of the county wherein such houses of detention are
23 established[; and the board of managers in charge of any such
24 house or houses now in office are hereby abolished].

25 (b) The president judge may choose at any time to delete the
26 judge position from the board by so notifying the chairperson
27 and secretary of the board in writing. The decision to delete
28 this position shall remain in effect for as long as the
29 president judge making the decision shall remain as president
30 judge and thereafter until rescinded in like fashion by a

1 successor.

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