

# LEGISLATIVE BULLETIN

## COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA THE VOICE OF PENNSYLVANIA COUNTIES

### COUNTY PRIORITIES SPOTLIGHT: HOUSE PASSES BUDGET IMPLEMENTATION BILLS

While the state appropriations bill for FY 2023-2024 was enacted in early July, additional implementation details are still being worked out in the General Assembly.

#### *Mental health funding*

The state Senate had previously approved **HB 1300** (Rep. Thomas Mehaffie, R-Dauphin) in late August with budget-related amendments, including a clause confirming that counties will see a \$20 million increase in mental health base funds this fiscal year, and that those funds must be used for mental health services. In the first week of October, the House further amended legislation to provide for the allocation of a proposed supplemental appropriation of \$100 million for adult behavioral health that would largely mirror **HB 849** (Rep. Mike Schlossberg, D-Lehigh), leveraging the recommendations of last fall's Behavioral Health Commission on Adult Mental Health, focused on workforce, criminal justice and public safety, and access and service delivery. This supplemental appropriation was provided for in **HB 1456** that also passed the House this week.

#### *911 reauthorization*

Further, HB 1300 was amended to include an extension of the current 911 statute, slated to sunset January 31, 2024, to December 31, 2024, without any other changes to the law or funding. Counties continue to stress to the General Assembly that prompt action must be taken on a 911 reauthorization and any sunset extension without increased funding will come at a cost to counties, our 911 system and ultimately to taxpayers. More information on the impacts of a 911 sunset extension can be found [here](#).

#### *Other county impacts*

The Fiscal Code language also provides language to implement the \$7.5 million appropriated in this year's state budget for indigent defense, which would be available to counties via grants and would have to supplement, not supplant, existing county spending for that purpose. A committee would be established within the Pennsylvania Commission on Crime and Delinquency to propose minimum standards for delivery of indigent defense, by which grants awarded must be consistent.

In addition, the amendments to HB 1300 include an increase in the payment in lieu of taxes (PILT) to local governments for state game, park and forest lands. Specifically, the PILT would increase from \$2.00 to \$2.40 per acre for each local government for state park and forest lands, and from \$1.20 to \$2.40 per acre for each local government for state game lands.

The supplemental appropriation approved by the House additionally includes a \$10 million line item for county jail security improvement and enhancements, as well as an additional \$50 million for intellectual disabilities workforce and retention. It is unclear how this funding would be distributed or could be used, or if it will be included in any final negotiated bill.

While HB 1300, among other budget-related bills, now moves back to the Senate for further consideration, it remains to be seen what action the Senate may take on each bill or any remaining budget language needed upon their return later this month. CCAP will continue to monitor and post updates on any further budget movement on the Budget News [webpage](#).

### HOUSE CONSIDERS PRESIDENTIAL PRIMARY PROPOSALS; COUNTIES SAY IT'S TOO LATE

During the October 2 session week, the House considered two pieces of legislation aimed

at moving the 2024 Presidential Primary. Specifically, **SB 224**, sponsored by Sen. David Argall (R-Schuylkill), would amend the Election Code to move only the 2024 primary to March 19 instead of the fourth Tuesday of April as well as bring the petition period forward by several weeks as amended in the Senate. During House consideration, the bill was amended several times to include multiple other Election Code changes, many of which attempted to address statutory issues counties have raised regarding mail-in ballots, but also included other elements such as a voter identification proposal and language related to risk-limiting audits. However, questions and concerns remain on the language and implementation timelines, and additional discussion is needed on these provisions. Ultimately, after a lengthy floor debate, SB 224 with all of its corresponding amendments failed in the House by a vote of **26-177**.

Conversely, the House did approve **HB 1634** by a vote of **102-100**, which now moves to the Senate for consideration. House Bill 1634, sponsored by Rep. Malcolm Kenyatta (D-Philadelphia), would move the Presidential Primary to the first Tuesday of April, which would be April 2 for 2024. While counties thank the General Assembly and the administration for their thoughtful discussions around this matter, at this date counties can no longer guarantee that there will be sufficient time to make the changes necessary to assure a Primary on a different date would be successful.

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## SENATE COMMITTEE CONSIDERS COUNTY CODE CODIFICATION BILL

**Senate Bill 945**, sponsored by Sen. Rosemary Brown (R-Monroe), would incorporate Act 154 of 2018, which is the reenactment and amendment of the County Code (Act 130 of 1955), into Title 16 of the Pennsylvania Consolidated Statutes, and was approved by the Senate Local Government committee on October 4. CCAP has been actively involved in this effort over the course of several years and with the strong partnership of the Local Government Commission. Senate Bill 945 heads to the Senate floor for consideration.

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## CYBERSECURITY BILLS SEE LEGISLATIVE ACTION

Senate committees recently considered several pieces of legislation related to cybersecurity of note for counties. **Senate Bill 563**, sponsored by Sen. Kristin Phillips-Hill (R-York), attempts to discourage ransomware attacks by classifying ransomware offenses, setting penalties and creating a process for commonwealth agencies to report ransomware situations once it has been determined ransomware is present in their environment. Counties had expressed concerns with the legislation as initially introduced as certain provisions could have hindered counties from being able to properly respond to cybersecurity incidents. The Senate Judiciary Committee amended the legislation to remove municipalities, including counties, thereby removing the counties' concerns, and approved the amended legislation by a **9-5** vote to move it to the full Senate for consideration.

Counties were also engaged in discussions on legislation that would further amend the Breach of Personal Information Notification Act. Specifically, **SB 824**, sponsored by Sen. Tracy Pennycuik (R-Montgomery), would require that when notice of a breach must be given to more than 500 affected individuals, the Attorney General must also be given notice. Additionally, the bill calls for an entity to provide credit reporting and monitoring services to individuals in breaches where there are more than 500 affected individuals, and the entity believes that breach involves a combination of the individual's first name/initial and last name along with a Social Security number, bank account number or driver's license or state ID number. The bill was unanimously approved in the Senate and is now in the House for further consideration.

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## GOVERNOR ANNOUNCES DEVELOPMENT OF STATEWIDE ECONOMIC PLAN

The Governor recently announced his administration will be focused on creating a new statewide economic development plan aimed at mapping out the state's strengths and barriers to economic development. The state is partnering with Team Pennsylvania Foundation, a nonprofit connecting public and private sector leaders, to help develop the plan. With hopes of having an initial plan drafted for 2024, the Governor and the Department of Community and Economic Development are hoping to meet with labor and business and local leaders to help identify issues and provide input for the plan and its strategies.

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## CONTINUING RESOLUTION KEEPS FEDERAL GOVERNMENT OPEN THROUGH NOVEMBER

On September 30, President Biden signed a stopgap spending measure to keep federal government agencies open through November 17, largely funding agencies at their current level while giving lawmakers additional time to develop full-year federal appropriations bills for FY 2024, which began on October 1. Counties urge the resolution of budget negotiations for the new fiscal year as alternatives to a completed budget, including continuing resolutions and government shutdowns, create costly delays and uncertainty in providing federal assistance, funding and programs to counties and our residents.

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