

LEGISLATIVE BULLETIN

COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA THE VOICE OF PENNSYLVANIA COUNTIES

COUNTY PRIORITIES SPOTLIGHT: 911 STATUTE REAUTHORIZED, COUNTIES LEFT HOLDING THE BAG

As part of its work to complete the FY 2023-2024 state budget, the Senate amended HB 1300 on December 13 to reauthorize the 911 statute, avoiding the looming crisis if the statute had been allowed to sunset at the end of January. However, while counties had also asked for an increase in the 911 surcharge from \$1.65 per month to \$2.30 per month, those amendments maintain the current \$1.65 surcharge until February 29, 2024, and then increase the 911 surcharge to \$1.95 through February 1, 2026. Further, the legislation calls for a joint study to be conducted by the Legislative Budget and Finance Committee, Local Government Commission and Joint State Government Commission to assess system efficiencies, system costs, 988 interoperability and other provisions by the end of 2024. Ultimately, both the Senate and House approved HB 1300, which contained a number of other budget implementation provisions, and it was signed into law by Governor Shapiro as [Act 34 of 2023](#).

Pennsylvania counties are highly disappointed in the actions by the General Assembly this week. Though the legislature has prevented the worst-case scenario, raising the surcharge to just \$1.95 – and not until next March – falls far short of properly funding one of the most essential services in the commonwealth. This small increase does not, and will not, reduce the pressure on county property taxpayers or make the necessary investments.

With just two years until the next reauthorization, Pennsylvania counties urge the General Assembly to begin having real conversations about proper 911 funding immediately, so this life-saving service does not become a perpetual backburner issue.

GENERAL ASSEMBLY, GOVERNOR APPROVE OUTSTANDING 2023-2024 BUDGET PROVISIONS

In addition to the 911 surcharge reauthorization, Act 34 of 2023 contained a number of provisions concluding the state's FY 2023-2024 state [budget](#), including several of interest to counties. In addition, [Act 33](#) separately authorizes critical funding for libraries and community colleges and directs \$100 million in federal American Rescue Plan Act (ARPA) funding for school-based mental health services, funding previously earmarked for adult behavioral health programs based on the recommendations of the Behavioral Health Commission in 2022. A brief summary of these items follows below:

Fiscal Code – Act 34 (HB 1300)

County Mental Health Base Funding

Act 34 confirms the \$20 million increase in county mental health base funds for FY 2023-2024. Increasing funding for the county mental health base was a top priority for counties in 2023 and will continue as a priority for 2024. Counties stand ready and willing to work with the Shapiro Administration and legislative leaders to secure significant long-term funding for mental health, rebuild our mental health system, and ensure anyone in the commonwealth can access timely and appropriate mental health treatment and services where they are without undue burden.

More information on CCAP's [mental health priorities](#) is available on CCAP's website.

Payment In Lieu of Taxes

Act 34 includes an increase in the payment in lieu of taxes (PILT) for state forest and park lands from \$2.00 to \$2.40 per acre, per local government, and an increase for state game lands also increases from \$1.20 to \$2.40 per acre, per local government. The increases take effect immediately.

Multimodal Local Match

The elimination of local match requirements for entities that receive funding through the

MultiModal Transportation Program is extended until December 31, 2024.

Indigent Defense Funding

The new act finally provides implementation language to drive out \$7.5 million in new funding for indigent defense that was appropriated in the FY 2023-2024 state budget. This funding will be provided to counties as grants, consistent with standards developed by a new Indigent Defense Advisory Committee within the Pennsylvania Commission on Crime and Delinquency (PCCD), and must supplement, not supplant, existing county spending for indigent defense. for county public defenders. The Committee is also charged with reviewing the status of indigent defense services and adopting standards for delivery of these services; counties will have a seat on the Committee.

Purely Public Charities

Under existing state law, entities that meet the criteria as institutions of purely public charity may be exempt from taxes, including property taxes. Act 34 will add domestic fraternal societies, orders or associations that operate under a lodge system, whose net earnings are devoted to religious, charitable, scientific, literary, education and fraternal purposes, who qualify as tax exempt under the IRS Code, who have been operating for at least 100 years and have not been issued a liquor license as qualifying institutions of purely public charity.

Farmland Preservation

Provisions in Act 34 permit up to \$165,000 in state agricultural conservation easement (farmland preservation) funds can be used for grants of up to \$5,000 for succession planning, to assure agricultural operations continue on preserved farmland.

Public School Code – Act 33 (HB 301)

School Mental Health Grants

Act 33 allocates the \$100 million American Rescue Plan Act funding, initially provided in the general appropriations act, to schools for school mental health funding. However, these are federal, one-time, ARP dollars previously allocated for adult behavioral health – so that the only significant resources being invested in mental health services this year will be seen in only one setting, with no guarantee that additional funds will be available to backfill this investment when the federal dollars are no longer available next year.

Library & Community College Funding

Act 33 outlines the distribution of the \$262 million appropriated in the FY 2023-2024 state budget for community colleges, as well as the \$70 million appropriated for public libraries.

County Safe Schools’ Collaborative

Creates an optional framework for a county or multiple counties to establish a safe schools’ collaborative to distribute, promote and develop best practices applicable to emergency response involving school safety and security through an emergency planning approach.

UNDATED/INCORRECTLY DATED BALLOT DECISION APPEALED

The federal court [ruling](#) issued in November indicating that undated or incorrectly dated mail ballots that are otherwise properly returned must be counted has been appealed to the Third Circuit Court of Appeals. On December 13, that Court issued a stay, pausing the U.S. District Court for the Western District of Pennsylvania’s ruling that rejecting these ballots violates the materiality provision of the federal Civil Rights Act of 1964. The Third Circuit Court has not yet set a date for trial to hear the appeal and indicated that the stay does not constitute a ruling on the certification of any election.

HEART AND LUNG EXPANSION TO BECOME LAW

The General Assembly recently approved [SB 429](#), sponsored by Sen. Mike Regan (R-York), which allows for expansion of benefits under the Heart and Lung Act to county corrections and probation officers. While counties would be permitted to choose whether to offer the expanded benefits, the choice to do so cannot be reversed in the future, regardless of changing economic circumstances, additional conditions becoming covered under Heart and Lung benefits or other factors. The bill was signed into by the Governor as Act 60 of 2023.

REPORT HIGHLIGHTS PANDEMIC IMPACTS ON YOUTH MENTAL HEALTH

Almost four years after the initial outbreak of COVID-19, the Center for Rural Pennsylvania has released a report detailing the effects of the pandemic on Pennsylvania students.

The Center used data from the biannual Pennsylvania Youth Survey (PAYS), conducted by the Pennsylvania Commission on Crime and Delinquency (PCCD), which helps to identify changes in patterns of substance use disorder and harmful behaviors, as well as risk and protective factors. In this case, the Center was concerned primarily with the effects of the pandemic on mental stress levels, behaviors, and academic performance.

The study found that about half of Pennsylvania students surveyed were either highly emotionally stressed or in the at-risk group, in both urban and rural areas. However, there was a sharp increase in the number of rural counties with a large percentage of students with high stress levels, increasing from two to 17 from 2019 to 2021. The report further outlines the emotional and economic costs stemming from such stressors, such as increased healthcare expenses, the loss of lifetime wage capital, and reoccurring or life-long depression, anxiety, and hopelessness.

The full report can be found [here](#).

NACo ACCEPTING INTERIM POLICY RESOLUTIONS

The National Association of Counties (NACo) 2024 Legislative Conference will be held in person in Washington, D.C., from February 10-13. During the conference, NACo's ten policy steering committees will meet to consider adoption of interim policy resolutions that will guide NACo advocacy until the Annual Conference in July. NACo invites submissions for interim policy resolutions, which must be submitted via email to resolutions@naco.org by January 10.

Additional details regarding the upcoming conference and interim policy resolutions are available on the NACo Legislative Conference [webpage](#).

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