



PSAECO
Pennsylvania State Association
Of Elected County Officials

- ♦ Pennsylvania State Association of County Auditors
- ♦ County Commissioners Association of Pennsylvania
- ♦ Pennsylvania State Association of County Controllers
- ♦ Pennsylvania State Coroners Association
- ♦ Pennsylvania District Attorneys Association
- ♦ Pennsylvania State Association of Prothonotaries & Clerks of Courts
- ♦ Pennsylvania Recorders of Deeds Association
- ♦ Register of Wills & Clerks of Orphans' Court Association of Pennsylvania
- ♦ Sheriffs' Association of the Commonwealth of Pennsylvania
- ♦ County Treasurers' Association of the Commonwealth of Pennsylvania

2023 PSAECO Legislative Priorities

The following are legislative priorities adopted by the Pennsylvania State Association of Elected County Officials. Some items were proposed or supported by member organizations, some were proposed by PSAECO in general and some are in support of Local Government Commission legislation.

CONTACT: A.C. Stickel IV, President
423 Allegheny Street Suite 141
Hollidaysburg, PA 16648
astickel@blairco.org
Office: (814) 693-3040
Mobile: (814) 932-3239

- **Adoption of the Consolidate County Code**
 - **SB831**(from last session)

- **Broadband Access and Development** The collective future of Pennsylvanians hinges on addressing the challenges to broadband expansion that are preventing access to opportunities and information to many of our residents. Counties have been engaged in assessing availability and connections as well as working with community partners to ensure the commonwealth's communities have safe, affordable and reliable connection to the internet.
 - **HB333 Stambaugh** An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in alternative form of regulation of telecommunications services, further providing for network modernization plans.

- **Comprehensive update and improvement to Pennsylvania's Right to Know Law**, passed by the House as HB2524 last session. The improvements made by this bill were reached through a lengthy process of stakeholder feedback and collaboration, and reflect a balance of priorities among agencies as well as the public's interest in disclosure. Important updates include:
 - Additional and amended definitions to increase the law's clarity;
 - Requiring agencies to register open records officer contact information with the OOR;
 - A new violation for disposing of requested records;
 - Refining circumstances under which incarcerated individuals may request records;
 - Additional privacy and public safety clarifications;
 - Updates to comply with recent court rulings;
 - Permission to assess reasonable, standard fees for commercial requests, with exceptions for certain request;
 - A limitation on vexatious requests.
 - **HB99 Schmitt** An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in preliminary provisions, further providing for definitions; in access, further providing for open-records officer, for appeals officer, for regulations and policies, for uniform form, for requests and for retention of records and providing for inmate access; in procedure, further providing for written requests, for redaction, for production of certain records and for exceptions for public records; in agency response, further providing for extension of time and providing for relief from vexatious requesters; in appeal of agency determination, further providing for filing of appeal and for appeals officers; in judicial review, further providing for court costs and attorney fees, for civil penalty, for fee limitations and for Office of Open Records; and, in miscellaneous provisions, further providing for relation to other laws.
 - **SB525 DUSH** An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in agency response, providing for vexatious requester.

- **SB657 MASTRIANO** An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in preliminary provisions, further providing for definitions; in requirements and prohibitions, providing for Pennsylvania Interscholastic Athletic Association; in access, further providing for open-records officer, for appeals officer, for regulations and policies, for requests and for retention of records; in procedure, further providing for requests, for written requests, for electronic access, for creation of record, for production of certain records and for exceptions for public records; in agency response, further providing for general rule and for extension of time; in appeal of agency determination, further providing for filing of appeal and for appeals officers; in judicial review, further providing for civil penalty and for Office of Open Records; and, in miscellaneous provisions, further providing for relation to other laws.

- **Support of Electronic Notification Options**

- **SB231 DiSanto** An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, in legal advertising, providing for methods for advertising.
- **HB88 R. Miller** An Act amending Titles 45 (Legal Notices) and 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in legal advertising, providing for redundant advertising on Internet by political subdivisions or municipal authorities; and, in open meetings, further providing for public notice.

- **911 Funding and Reauthorization** - Counties are proud to provide one of the key functions in public safety—the operation of the 911 call-taking and dispatch system. As technologies continue to evolve and funding streams no longer align with current realities, counties need to be able to rely on consistent and sustainable funding to maintain their responsibility as the first line of emergency response.
- **County Inmates with Mental Health Issues** - County jails have become de-facto state hospitals following years of deinstitutionalization of individuals with mental illness. When unmet behavioral health challenges lead to criminal charges, individuals are often committed to jails that are not equipped to address needs of people who need mental health treatment, resulting in poor outcomes for those individuals and for their communities.
- **County Mental Health Base Funding Increase** - Counties deliver critical mental health services – such as community residential programs, family-based support, outpatient care and crisis intervention – on behalf of the state, and these services must be properly funded to ensure that the residents are able to access the care that they need. Lack of adequate state funding that has failed to keep up with demand, coupled with growing caseloads and cost inflation, have pushed the community mental health system to the point of collapse.

- **Address the Needs of Children and Youth Who Have Complex Behavioral Health Issues** - When a child is unable to remain in his or her own home due to complications created by complex needs, such as acute substance abuse, mental health and/or developmental disabilities that occur simultaneously, counties have extreme challenges in obtaining a safe place for the child to stay while receiving the right services. Often referred to as “complex cases,” the prevalence of youth in these situations are a growing concern where counties have few, if any, resources for referrals and treatment, leading to youth being held in settings that are not able to meet their unique set of needs.
- **Promote Election Integrity** - Counties take their responsibility for the fair, secure and accurate administration of Pennsylvania’s elections very seriously, and need clear rules that enable consistent implementation across the commonwealth. Reforms to Pennsylvania’s Election Code are needed to resolve ambiguities and help counties continue to promote the integrity of our elections. Pre-canvassing and extending the mail-in ballot application deadlines remain the most important changes count
- **Pension Reform** – Currently employees who have reached age 60 can retire with a county pension have worked as little as one pay period. PSACC supports requiring 5 years of service regardless of age to be eligible for a County Pension. – Also clarify the law to allow COLA’s between \$0.00 and CPI-U.
 - **HB298 Harkins** Under the County Pension Law, when County Retirement Boards provide a cost-of-living adjustment (COLA) to annuitants, the COLA must be equal to the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the 12-month period ending August 31 for the year in which the adjustment is reviewed. While this has the laudable intention of attempting to provide our county retirees with COLAs that keep up with inflation over time, it, unfortunately, means that in many years County Pension Boards often cannot afford to provide any adjustment at all because the CPI-U is too high.
 - **Increase requirements for Pension Eligibility** – Currently county employees can retire at age 55 with 20 years of service. Employees can retire at age 60 with no years of service (literally as little as one pay period). We suggest a requirement for new employees to have a minimum of 5 years’ service in order to receive a county pension. Consider increasing the retirement age to 65.
- **Lodging Tax Reporting** – Currently many of the 3rd party booking agents Vrbo, AirBnB etc. make payments to counties, but refuse to file any type of report. These reports are necessary to verify that all collections are complete and accurate.
- **Tax Collector Reform** – While many elected tax collectors do an efficient job, many others are poorly trained and ill-equipped to accurately and efficiently perform their duties.
 - Increased Training requirement.
 - Penalties for late/inaccurate payment and/or reporting.
 - Options for municipalities to remove tax collector positions from ballot upon vacancy.

- **Move Coroner's Education Board to the purview of PCCD**

- **SB1037 (from previous session) Coroner's Education** Pennsylvania's coroners bring a wealth of knowledge to their elected position, but it is of the utmost importance that they be trained and educated through a program that addresses all of the necessary topics and skills needed for their job.

Currently, the Coroners' Education Board is housed within the Office of Attorney General, but the Board has had little say in decisions regarding the training program, which coroners have found does not cover key subjects, nor is there a high standard for determining successful completion of the program.

To remedy this, I intend to introduce legislation to move the Coroners' Education Board to the purview of the Pennsylvania Commission on Crime and Delinquency (PCCD) and align the structure with that of the Sheriff and Deputy Sheriff Education and Training Board, which is already under PCCD.

The Coroners' Education Board would be tasked with establishing a training program that meets the current needs of coroners. It is our responsibility to ensure they are equipped to perform their job duties through proper education, and that starts with a board made up of coroners empowered to bring professional insight to the table when determining what an education program should be comprised of.

- The Emergency and Law Enforcement Personnel Death Benefits Act provides a state benefit of \$100,000 (annually adjusted using the Consumer Price Index; currently \$158,550.75) to emergency responders for deaths related to the performance of their duties. Coroners are medicolegal death investigators who investigate the cause and manner of death, and certify every homicide, suicide and accidental death in addition to certifying many natural deaths. Medical legal death investigation is considered one of the first parts of an investigation of a crime scene, similar to the work of police, emergency medical services and fire protection services, to that end, coroners and their deputies are indeed a first responder, as such, should be considered "Essential Personnel." It is important to note that coroners perform necessary investigations while trying to protect themselves from exposure in the process. These individuals perform their duties with dedication and courage and should be recognized for their service, including service that results in a line of duty death.
 - **HB422 HAMM** An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for title of act; and adding provisions relating to coroners.
 - **HB1098 HAMM** An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for title of act; and adding provisions relating to telecommunicators.

- **JNet Access for Coroners**

- HB1093 HAMM Provide Coroners with access to certain records maintained by PennDOT and to JNET, which will help our Coroners to get positive identification of the deceased, locate the Next of Kin to make death notification and to determine if the deceased was an organ and tissue donor.

With the rise of usage of Social Media and the need to know everything immediately, our Coroners are in a race for time to identify the deceased and make death notification to the Next of Kin prior to them finding out on Social Media. Further, Coroners have less than 24 hours from the time of death to do all of these things for the recovered organs and tissue to remain suitable.

JNET is a portal that allows secured access by criminal justice agencies to Commonwealth records provided by JNET's data partners (PennDOT, Labor and Industry, Human Services, PA Courts, PA State Police, and others).

Unfortunately, Coroners have been recently denied JNET access or have had access revoked due to questions regarding whether a coroner's office is a "criminal justice agency". Additionally, PennDOT's current policy is that non-criminal justice agencies, in general, are to be only granted access to PA driver photos and detail records. Additional access to driver history, medical information, emergency contact information and vehicle registration information is reserved by PennDOT for criminal justice designated agencies only.

- Seeing that both JNET access and access to certain PennDOT records would be an invaluable tool for Coroners when performing their official duties, I am reintroducing this legislation that provides for the following:
 - Coroners are to be provided access to JNET
 - PennDOT is to provide Coroners with any record maintained by the department, unless prohibited by federal law, which is reasonably necessary to help identify next of kin or aid in a death investigation
 - PennDOT is required to update their driver licensing forms to provide drivers with the option to provide next of kin information on their record
 - I hope you will join me in cosponsoring this important legislation.

- **Privacy of Records (Coroners)**

- **Electronic Tax Lien Filing**

- **HB61 MERCURI** An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in general provisions, providing for electronic tax lien filing and centralized repository; and making a repeal.

- **Increase in Automation Fund Fees for Prothonotaries and Clerk of Courts**

- **Death Record Confidentiality**

- **HB269 WEBSTER** An Act amending the act of April 8, 1868 (P.L.73, No.37), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," further providing for confidentiality of records.

- **RWCOC (Registers of Wills & Clerk of Orphan's Court)**

- **HB434 DIAMOND** An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in grant of letters, further providing for advertisement of grant of letters.
- **PEF Code Revision** Reintroduction of the "Old" HB 1822 amending section 3101(b) of the PEF code raising the amount that next of kin can get out of bank without a short certificate from \$10,000 to \$20,000.
- **Electronic Wills** (working with the task force of PA Bar Association to draft language)

- **Legislation to increase the veterans discharge privacy from 75 to 80 years after discharge.**

- **HB269 WEBSTER** - Amending the act of April 8, 1868 (P.L.73, No.37), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," further providing for confidentiality of records.

- **Electronic Filing of Campaign Finance Reports.**

- **HB773** – An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in primary and election expenses, further providing for reporting by candidate and political committees and other persons, for late contributions and independent expenditures, for oath of compliance, perjury, disqualification from office and commercial use and for place of filing, providing for manner of filing and for inability to file reports or statements electronically by deadline and further providing for late filing fee and certificate of filing, for powers and duties of the supervisor, for additional powers and duties of the Secretary of the Commonwealth and for reports by business entities and publication by Secretary of the Commonwealth.

