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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1691 Session of  
2019

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INTRODUCED BY HARKINS, ZABEL, MURT, READSHAW, FREEMAN, McNEILL,  
HILL-EVANS, DEASY, OTTEN, MULLINS, MARKOSEK, DALEY, PASHINSKI  
AND GALLOWAY, JUNE 27, 2019

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REFERRED TO COMMITTEE ON JUDICIARY, JUNE 27, 2019

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AN ACT

1 Amending the act of November 22, 1978 (P.L.1166, No.274),  
2 entitled "An act establishing the Pennsylvania Commission on  
3 Crime and Delinquency, providing for its powers and duties  
4 establishing several advisory committees within the  
5 commission and providing for their powers and duties,"  
6 further providing for Pennsylvania Commission on Crime and  
7 Delinquency; and establishing the Mental Health and Justice  
8 Advisory Committee and the Mental Health and Justice Grant  
9 Program.

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

12 Section 1. Section 2(d)(2) of the act of November 22, 1978  
13 (P.L.1166, No.274), referred to as the Pennsylvania Commission  
14 on Crime and Delinquency Law, is amended and subsection (b) is  
15 amended by adding a paragraph to read:

16 Section 2. Pennsylvania Commission on Crime and Delinquency.

17 \* \* \*

18 (b) Composition.--The commission shall consist of the  
19 following members:

20 \* \* \*

21 (17.3) Chairperson of the Mental Health and Justice

1 Advisory Committee.

2 \* \* \*

3 (d) Term of office.--

4 \* \* \*

5 (2) The term of the chairman of the Juvenile Justice and  
6 Delinquency Prevention Committee and the chairperson of the  
7 Mental Health and Justice Advisory Committee shall be  
8 concurrent with [his] their service as [chairman of that  
9 committee] chairpersons of their respective committees.

10 \* \* \*

11 Section 2. The act is amended by adding sections to read:

12 Section 7.3. Mental Health and Justice Advisory Committee.

13 (a) Establishment.--The Mental Health and Justice Advisory  
14 Committee is established within the commission.

15 (b) Composition.--The members of the committee shall be  
16 appointed by the Governor and shall include:

17 (1) Representatives of:

18 (i) The Department of Corrections.

19 (ii) The Department of Drug and Alcohol Programs.

20 (iii) The Department of Military and Veterans  
21 Affairs.

22 (iv) The Office of Mental Health and Substance Abuse  
23 Services of the Department of Human Services.

24 (v) The Pennsylvania Board of Probation and Parole.

25 (vi) The Administrative Office of Pennsylvania  
26 Courts.

27 (vii) The Pennsylvania Commission on Sentencing.

28 (viii) Units of local government.

29 (ix) Public and private agencies and organizations  
30 that provide or advocate for mental health treatment and

1 services.

2 (x) Agencies that provide housing for the mentally  
3 ill.

4 (xi) Victim service agencies.

5 (2) Drug and alcohol treatment providers.

6 (3) Police.

7 (4) District attorneys.

8 (5) Public defenders.

9 (6) Judges of the courts of common pleas.

10 (7) County adult and juvenile probation officers.

11 (8) County wardens.

12 (9) Other individuals with expertise in the public  
13 safety response and management, treatment or provision of  
14 services to individuals with mental illness involved in the  
15 juvenile justice or criminal justice system.

16 (c) Term.--A member shall serve for a four-year term and may  
17 be appointed for no more than one additional consecutive term.

18 (d) Number and qualifications.--The committee shall consist  
19 of no more than 33 members, all of whom must have experience in  
20 the public safety response and management, treatment or  
21 provision of services to individuals with mental illness  
22 involved in the juvenile justice or criminal justice system.

23 (e) Conditions of appointment.--The committee and its  
24 members are subject to the same limitations and conditions  
25 imposed upon the commission as prescribed in section 2(d), (e),  
26 (h), (i), (m) and (n).

27 (f) Quorum.--A majority of the members shall constitute a  
28 quorum and a vote of the majority of the members present shall  
29 be sufficient for all actions.

30 (g) Chairperson.--The Governor shall appoint a chairperson

1 from among the members of the committee who shall serve at the  
2 pleasure of the Governor. A vice chairperson shall be designated  
3 by the chairperson and preside at meetings in the absence of the  
4 chairperson. The committee shall meet at the call of the  
5 chairperson, but not less than four times a year.

6 (h) Powers and duties.--The committee shall have the power  
7 and its duty shall be:

8 (1) To serve in an advisory capacity to the commission  
9 through the committee's participation in the development of  
10 that part of the commission's comprehensive plan relating to  
11 the provision of treatment and services to individuals with  
12 mental illness involved in the juvenile justice and criminal  
13 justice systems.

14 (2) To serve the commission in an advisory capacity  
15 relating to the direct approval and disbursement of financial  
16 assistance.

17 (3) To advise the commission on the definition,  
18 development and correlation of programs and projects and the  
19 establishment of priorities for the provision of treatment  
20 and services to individuals with mental illness involved in  
21 the juvenile justice and criminal justice systems.

22 (4) Upon request, to provide assistance and advice to  
23 the commission on any other matters relating to the provision  
24 of treatment and services to individuals with mental illness  
25 involved in the juvenile justice and criminal justice  
26 systems.

27 (i) Resource and staff support.--The Department of Human  
28 Services and the Department of Corrections shall cooperate with  
29 the commission in providing resources to the commission in  
30 support of the committee. Staff support shall be made available

1 to the committee by the executive director in order to  
2 adequately perform the duties provided for in this section.  
3 Section 8.2. Mental Health and Justice Grant Program.

4 (a) Establishment.--The Mental Health and Justice Grant  
5 Program is established within the commission. The purpose of the  
6 program shall be to provide grants in accordance with this  
7 section.

8 (b) Awarding grants.--The commission shall award program  
9 grants to assist in planning, implementing or expanding  
10 initiatives that increase public safety, avert increased  
11 spending on criminal justice and improve the effectiveness of  
12 treatment services for individuals with mental illnesses,  
13 substance abuse disorders or co-occurring mental health and  
14 substance abuse disorders who are involved or at risk of  
15 involvement with the criminal justice system.

16 (c) Number of grants.--The commission shall base the number  
17 of program grants on the amount of funds appropriated by the  
18 General Assembly and other funds available for the program.

19 Section 3. This act shall take effect in 90 days.