

No. 2016-107

AN ACT

SB 1038

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

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

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

AN ACT

Creating a board of managers to have exclusive jurisdiction over all **[houses of detention] county operated facilities, through a licensed child welfare agency or otherwise approved by the court** for the reception of **[untried juvenile offenders and neglected and dependent children who may be under judicial investigation] alleged or adjudicated delinquent children or dependent children**, in counties of the third class[, **and abolishing the boards of managers now in charge of such houses**].

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

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

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

APPROVED—The 4th day of October, A.D. 2016

TOM WOLF