

No. 1997-45

AN ACT

HB 231

Amending the act of May 16, 1921 (P.L.579, No.262), entitled, as amended, "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third, fourth, fifth classes and in certain counties of the sixth, seventh and eighth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," further providing for the board of prison inspectors; and making editorial changes.

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

Section 1. Section 1 of the act of May 16, 1921 (P.L.579, No.262), referred to as the County Prison Board Law, reenacted and amended October 26, 1972 (P.L.1053, No.265) and amended April 28, 1978 (P.L.74, No.35), is amended to read:

Section 1. **[Be it enacted, &c., That the]** (a) (1) *The persons now holding the following offices, and their successors, in all counties of this Commonwealth of the third, fourth, and fifth classes, shall compose a board, to be known by the name and style of inspectors of the jail or county prisons, to wit: The president judge of the court of common pleas or a judge designated by him, the district attorney, the sheriff, the controller, and the commissioners of each of said counties; in which board, and the officers appointed by it, the safe-keeping, discipline, and employment of prisoners, and the government and management of said institution, shall be exclusively vested; and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison, and such sheriff shall no longer be furnished a residence in said institution.*

(2) Notwithstanding paragraph (1), the president judge of the court of common pleas 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in effect for as long as the president judge making the decision shall remain as president judge and thereafter until rescinded in like fashion by a successor.

(b) Any county of the sixth, seventh or eighth class may elect by resolution of the county commissioners to be governed by the provisions of this act.

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

APPROVED—The 6th day of October, A.D. 1997.

THOMAS J. RIDGE