



# 2024

## County Government PRIORITIES

*Committed to the core responsibilities of county government –  
and ultimately to the people and communities of Pennsylvania*

### 2024 COUNTY GOVERNMENT PRIORITIES

#### **911 Funding and Reauthorization**

*Ensuring swift and efficient 911 access for all residents and visitors in Pennsylvania, regardless of location or time of day.*

#### **County Mental Health Base Funding Increase**

*Accessible and timely mental health treatment and services for all in the Commonwealth, without undue burden.*

#### **Addressing Inmates with Mental Health Issues**

*Providing individuals facing mental health issues with access to services and diversion programs, to prevent incarceration. For those already in the correctional system, provide rehabilitation services to reduce costly interactions with the criminal justice system.*

#### **Increasing the Prevailing Wage Threshold**

*Enhancing county flexibility to allocate limited financial resources across projects and prioritize essential services, easing the burden on taxpayers and government budgets statewide.*

#### **Right-to-Know Law Reform**

*Enabling counties to dedicate time and resources to key services for residents while maintaining integrity and transparency in government.*

#### **Vote-By-Mail Reforms**

*Giving counties needed tools to run fair, secure, and accurate elections, restoring public trust in the election system.*

#### **Broadband Access and Development**

*Ensuring safe and affordable internet access for all Pennsylvanians, regardless of income, geography, or individual circumstances.*

#### **Juvenile Detention Capacity Crisis**

*Providing justice-involved youth with timely community-based services and protection in detention for their safety and that of the community.*



COUNTY COMMISSIONERS  
Association of Pennsylvania

THE VOICE OF PENNSYLVANIA COUNTIES

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## 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.*

Counties are continuously working with PEMA, legislative committees, emergency management professionals, the communications industry, and other interests on improvements to the 911 system. Center to this effort is forward movement and investment in Next Generation 911 (NG911) to take into account both current and future ways that people can communicate in an emergency. This includes improvements in system efficiencies through shared infrastructure and network connection for 911 public safety answering points statewide, accurate GIS information and data and better regional systems to assure availability and reliability. A strong, connected 911 system is critical to ensuring services will still be provided efficiently in situations of mass emergency and will keep pace with the ever-changing technological advances to maximize emergency services delivery.

### THE FACTS

- 911, while separate from our police, fire, and EMS system, provides the first response to callers, often offering medical triage advice or other critical information to ensure the safety and outcome for all involved while physical first responders are dispatched.
- The 911 surcharge is a flat-rate fee placed on a phone service bill monthly or at point of sale for a prepaid device that provides funding for the operation of 911 emergency telecommunications services in Pennsylvania.
- At a surcharge of \$1.95, counties, and ultimately county taxpayers, are shouldering 25-30% of the cost of the 911 system.
- Compared nationally, Pennsylvania has a relatively average fee that covers a significant majority of 911 operational costs - other states have percentage-based or locally derived fees, including some as high as \$5.
- 911 call volume is increasing while revenue from the 911 surcharge has begun slowly decreasing over the past several years.

- Even outside of funding needs, the 911 statute needs technical changes and clean-ups to ensure the law meets the current realities and needs of the NextGen system.

### COUNTIES SUPPORT

- Development and implementation of a funding formula that adequately supports current county needs and will ensure funding sources and distribution support needs into the future.
- Continued strategic planning and investment for evolving technologies and GIS data to properly support and maintain NG 911.
- Opportunities for system and funding consolidation, including regional resource sharing and collaboration to guarantee system and service continuity.
- Discussion among policymakers and stakeholders well before the February 2026 surcharge sunset to ensure any changes to the 911 law or system can be implemented well in advance of the sunset.

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## 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. These services must be properly funded to ensure that the residents can 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.*

Counties currently administer direct services to support their community's mental health system. Thanks to the flexibility of the county mental health base funding allocated by the state, counties have been able to continue to serve their residents but are stretching ever more limited state funding to its breaking point. With additional state funding for the county mental health base, counties would be able to address specific needs better and more fully in areas such as children's mental health and older adult mental health, crisis intervention and capacity, peer supports, and other diversion services. If the commonwealth cannot commit to long-term, sustainable funding for mental health services, residents will continue to suffer as it becomes harder and takes longer to find the support they need, and the impacts of underfunding trickle down to more costly systems, including hospitals, law enforcement, and corrections.

## THE FACTS

- Capacity within the currently available services is inadequate to the community needs. Community members frequently report wait times of at least 6 months, often much longer. Stabilization of these existing services, like addressing workforce gaps, is a critical first step.
- Counties estimated the need for the community-based system is an additional \$1.6 billion to bolster, rebuild, and add programs that adequately meet community needs.
- One-time funding for mental health initiatives can be helpful in limited circumstances as long-term programs cannot be developed without sustainable, dependable long-term funding plans.
- Without sustainability, counties cannot plan or stand-up long-term services, often resulting in unspent funds despite the critically high need for community-based services.
- Mental health-based funds allow counties flexibility to meet unmet needs which vary by community, including community residential programs, family-based support, outpatient care, and crisis intervention.
- The unmet community need has created a growing population of individuals that become involved with emergency departments, law enforcement, and the criminal justice system. When no appropriate diversion exists, the remaining solutions are hospitals or incarceration, both of which are not appropriate settings for mental health treatment and are more costly.

## COUNTIES SUPPORT

- Increasing and sustaining annual investments in the state's mental health community-based system to help counties maintain and rebuild the existing safety net of services, before adding any additional programs and services.
- Investing substantial state dollars to rebuild and strengthen community crisis services, residential mental health programs, and other locally provided care that will stabilize mental health services and assist hospitals with capacity concerns.
- Maintaining local flexibility and preserving programs such as the Behavioral HealthChoices program, so that counties can continue to provide local mental health services effectively.
- Ensuring that counties have a voice in all efforts to address behavioral health needs in the Commonwealth.



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## Addressing 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 the needs of people who require mental health treatment, resulting in poor outcomes for those individuals and their communities.*

County jails are reporting a steady growth in the population of inmates within the jail who have mental health issues. Further, more of those same inmates are experiencing severe mental illness, making it very difficult to address their needs in the jail setting. The process of assessing and restoring competency to stand trial has been needed with more frequency, resulting in longer wait times to access forensic state hospital beds. Without community-based resources and appropriate funding to support them, individuals may continue to cycle through the corrections system when adequate behavioral health support would be a more appropriate and cost-effective solution.

### THE FACTS

- Unmet community behavioral health needs continue to drive the population of county jails. Both the number of individuals with mental health needs and the severity of those needs have consistently increased year by year.
- County jails struggle to locate and retain qualified mental health professionals sufficient to meet these increasing needs.
- Closures of state hospitals allowed for deinstitutionalization; however, the actualized savings were not reinvested into the system to provide for those needing services.
- As the criminal justice system lacks appropriate treatment and housing options, the number of individuals being evaluated and treated for competency to stand trial has increased. As a result, the need and wait times for forensic state hospital beds rose following the pandemic.

### COUNTIES SUPPORT

- Working closely with all branches of government to build community behavioral health and crisis capacity.
- Working with our partners to create better diversion and re-entry options to avoid jailing people as a result of their illness.

- Assuring that counties have access to state hospital beds when needed instead of utilizing unrealistic measures to control beds at the expense of county jail inmates.
- Cooperation with other providers to maintain continuity of care for inmates returned to the county.
- Legislation to require maintenance of benefits for inmates up until the time of sentencing and restoration of benefits for re-entry.

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## Increasing the Prevailing Wage Threshold

*Current thresholds under the Prevailing Wage Act are out of date. Under the Prevailing Wage Act, prevailing wages must be paid on public projects of more than \$25,000, an amount which has not been updated since the 1960s, and now captures virtually all public construction projects in the counties. By raising the threshold to meet current inflation levels, public dollars could be used more efficiently and stretched further, meeting the needs of Pennsylvania's communities.*

Publicly funded construction projects in Pennsylvania costing more than \$25,000 are subject to prevailing wage requirements. The threshold, not adjusted for inflation or industry changes in more than 60 years, would amount to more than \$250,000 in 2023. Without an increase to the threshold, counties are spending significantly more money on projects that could otherwise be utilized in other areas of their overall budgets. Prevailing wage requirements can increase the cost of many projects, generally by 10 to 15% depending on the region in which the project is being done. Projects that hit the threshold range from lawn maintenance contracts and broadband projects to construction of prisons, juvenile detention facilities and local courthouses, among many others.

### THE FACTS

- This threshold applies to all levels of government, all of which are looking for ways to use limited resources to provide the maximum level of services possible.
- The outdated Prevailing Wage threshold creates additional costs for counties and divert taxpayer dollars from their most effective and intended uses.
- Counties in rural areas have reported cost increases upward of 20 to 30% as prevailing wages are typically based on metropolitan areas where costs and wages are comparatively higher.

- Counties are not seeking changes to Prevailing Wage Act rates, but rather want to ensure the threshold amount meets today's current market realities and can be maximized to the ultimate benefit of the taxpayer in the form of efficient spending and more substantial project delivery.

## COUNTIES SUPPORT

- Increasing the prevailing wage threshold to meet the changes in inflation since the 1960s and to apply an index that will ensure the threshold keeps pace with inflation going forward.
- Legislation reversing the State Supreme Court's definition of "maintenance work" as provided for in the case Borough of Youngwood v. Prevailing Wage Appeals Board (2008).

## Right-to-Know Law Reforms

*Counties believe that government has a responsibility for maintaining records of its actions, and records of the broad range of public transactions. This responsibility includes retaining records as appropriate for the use of future generations, making them accessible for individual use, and making them available as a means of promoting governmental accountability and transparency. However, there is a balance that must be maintained among access, privacy, and security concerns.*

The unrelenting number of Right-to-Know (RTK) requests continues to increase workloads for county governments, who must deal with both repeat requesters and requests for voluminous amounts of information. In recent years, this has also started to include increased requests for election-related information, often impacting county election offices amid their other duties administering elections. While counties are fully supportive of the need to be transparent, the law needs to be updated to help alleviate the burdens of vexatious and commercial requesters and ensure the law provides transparency while still meeting the initial intent of the law.

## THE FACTS

- Under the current RTKL, counties are required to spend staff time and resources to comply with requests for records from commercial entities and individuals seeking copious amounts of records with the intent to burden and bog down the records request process.
- Many of these types of requests are often vague, overbroad, or voluminous and can take hours to

locate a wide array of records, review/compile information, possibly redact information, and may even require the involvement of an attorney to evaluate the request.

- With commercial requestors, counties are unable to recoup any of the costs associated with complying with these types of requests because the current fee structure in law does not allow any fees beyond duplication and mailing costs, ultimately forcing taxpayers to foot the bill for these requests which generate revenue for the requester.

## COUNTIES SUPPORT

- Passage of legislation to address both vexatious and commercial requesters.
- Addressing loopholes in the current request process without hindering transparency.
- Exploring opportunities to categorize and process Right-to-Know requests and triage, taking into account the length of the request and immediacy of response.
- Instituting a pause on processing election-related requests around election days as counties are seeing an increasing volume of requests related to election administration in the days leading up to and following an election.
- Allowing counties and local governments to recoup the costs related to requests for complex data sets.

## Vote-By-Mail Reforms

*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. The ongoing lack of clarity around provisions of Act 77 of 2019, the statute that expanded mail-in ballots, continues to create challenges for county election administration. In addition, pre-canvassing and unrealistic mail-in ballot application deadlines continue to remain important to all counties.*

Since the enactment of Act 77 of 2019, counties have identified areas of the Election Code that need to be addressed and clarified in the wake of multiple court decisions and appeals to help counties meet their responsibilities for election administration and to provide efficient and accurate results. Pre-canvassing and adjusting unrealistic mail-in ballot application deadlines remain two of the most important changes that would significantly improve the election experience for both counties and voters, without sacrificing ballot security.

or access to voting. But counties also need the support of the legislature and administration to update other parts of the Election Code so that counties have clear rules to help restore the public's confidence in the integrity of our elections.

## THE FACTS

- Since its enactment in 2019, Act 77 remains unclear, or in some cases silent, on how counties should address certain situations, such as what to do with naked ballots and whether voters should be contacted to be permitted to cure defects with their mail-in ballot. Even more recently, procedures for handling and processing un/misdated ballots have become a point of great legal debate.
- Changing court decisions, in addition to the statutory language or lack thereof, have led to a situation where counties have struggled to implement the law consistently.
- Giving counties the ability to pre-canvass will help with managing workloads on Election Day, particularly in a busy presidential year, where timely results will be anticipated given the high level of attention that will be paid to Pennsylvania on election night and beyond.
- Mail-in ballot deadlines, including the application window, create timing challenges with the postal service and within county election offices. Further clarification and extension of timelines will benefit voters by providing more time for the ballot to be able to get from the county to the voter and back again through the mail, creating less uncertainty over whether ballots were received by 8 p.m. election night.

## COUNTIES SUPPORT

- Resolving ambiguities and gaps in the Election Code for which counties need clarity and uniformity, including provisions related to the law on counties' authority to use drop boxes for mail-in ballots as well as clear and concise guidelines for curing ballot defects and third parties sending in mail-in ballot applications.
- Extending the pre-canvassing period to allow ample time for counties to prepare mail-in and absentee ballots for tabulation so that accurate results can be provided as soon as possible.
- Moving back the deadline for absentee and mail-in ballot applications to 15 days prior to an election, so that voters can be confident there is plenty of time for their county to process the application and for the ballot to be mailed from county to voter and back again.
- Ensuring any changes to Act 77 or the Election Code are enacted and allow enough time for

implementation well before the next regularly scheduled election.

- Ensuring that counties are involved in discussions on any election law reforms at the earliest possible point, to create positive, meaningful, and effective election policy moving forward.

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## 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 for 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.*

Many counties have taken a leadership role in working with local partners to identify gaps in broadband service and have developed best practices and innovative ideas, such as regional cooperative models, to address them. We have come a long way in addressing the digital divide, but funding remains one of the greatest needs to expand access to broadband, not only with physical infrastructure but ensuring people have safe and secure access to a connection. With the promise of billions of dollars in federal investment, a state broadband plan, and maps now publicly available to better plot and measure connection, Pennsylvania is on the path forward, but these steps are just the beginning of implementing strategic, thoughtful approaches to bring broadband access to all Pennsylvanians.

## THE FACTS

- While Pennsylvania is promised over \$1.6 billion in broadband expansion funding, strategic, communicative partnerships are needed to provide for long-term sustainability and maintenance of broadband networks.
- Development and access extend beyond physical connection but include affordable access to devices, digital literacy, cybersecurity, and other existing barriers to internet usage.
- Over two-thirds of Pennsylvania's counties have made their own investments in broadband access and development, including feasibility studies, community surveys, infrastructure development, and other programs with community and industry partners.

## COUNTIES SUPPORT

- Working together with federal, state, local, and private stakeholders to develop strategies for successful broadband expansion that maximize resources and minimize overbuild.
- Prioritizing efforts to connect rural and hard-to-reach areas while aligning focus to digital equity, literacy, and access initiatives.
- Identifying successful approaches and sharing best practices for both deployment and digital equity that can be successfully used by other communities.
- Partnering with the state and other stakeholders to leverage data, develop needed informational resources, and build on strategies that help increase broadband infrastructure and services, particularly as federal funding becomes available.
- Identifying funding and working with stakeholders to ensure to identify short-term and long-term solutions to provide access and sustainability of services.

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## Juvenile Detention Capacity Crisis

*Counties are committed to safe and appropriate detention of juvenile offenders that meets their individual needs while ensuring community safety. Evolving policies on juvenile services have led to the closure of many county detention facilities and increasing cases of serious and violent juvenile offenders are surpassing the availability of detention options.*

Pennsylvania has a strong commitment to using secure detention for juveniles only when less restrictive alternatives have been considered and rejected. While the juvenile justice system and its partners have been able to reduce admissions to secure detention by 70% over recent years, prompting the closure of many facilities, multiple factors are now creating a need for secure detention that is double the availability. This results in youth charged with violent crimes being placed in inappropriate settings, including nonsecure shelters.

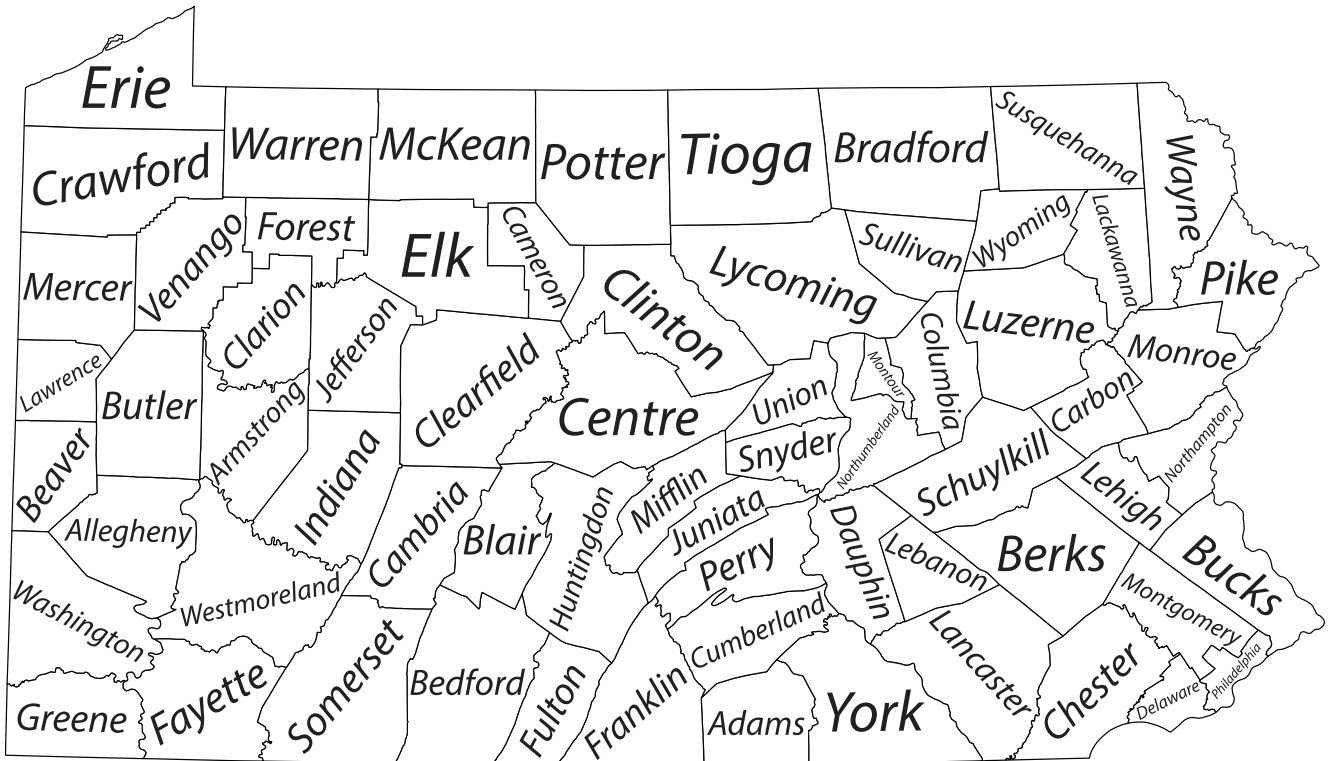
Pennsylvania lacks secure treatment beds for youth with complex behavioral needs that would be better served in a treatment setting. This leaves only secure detention as the way to ensure community safety while addressing the individual's needs. New federal laws affecting youth whose crime is charged as an adult have increased the number of individuals and length of stay in detention. Additionally, the pandemic-era staffing shortages have affected juvenile detention like many fields. Lack of staffing has been the main cause for some facilities to cease operating, while others have had to reduce their operational capacity until that can be resolved. Counties have resorted to extraordinary measures such as contracting secure detention beds and sending youth out of state.

## THE FACTS

- Since 2006, at least 16 detention facilities ceased operation in Pennsylvania.
- In December of 2023, Pennsylvania had 513 licensed detention center beds, but only 366 were operational due to staffing shortages.
- In December of 2021, the Juvenile Justice, and Delinquency Prevention Act (JJDP) reauthorization implemented an "Interest of Justice" determination for youth charged as adults. From that time to April 2023, at least 71 youths were identified who were moved to secure juvenile detention rather than adult correctional facilities where they would have previously been held.
- The average length of stay in secure detention rose from 17 days in 2018 to 27 days in 2022.
- Significantly increased costs for staff wages and insurance/liability have impacted providers' willingness and ability to operate secure detention facilities.

## COUNTIES SUPPORT

- Working together with state, local, and community provider stakeholders to broaden community-based treatment programs.
- Removing barriers that inhibit adequate staffing of detention facilities.
- Creating secure treatment opportunities for youth with complex behavioral needs
- Ensuring adequate capacity for secure detention of juvenile offenders.



## CCAP is the recognized leader for Pennsylvania county government.

County governments are responsible for a wide variety of critical services, including provision of human services (mental health, intellectual disabilities, children and youth, long-term care, drug and alcohol services, housing) to people in need in our communities. In addition, counties are responsible for emergency management and 911 services, administration of the courts and corrections system, elections, maintenance of county bridges, and the county property assessment rolls, and also are involved in environmental and land use planning, protection of open space and community and economic development.

The County Commissioners Association of Pennsylvania (CCAP), a non-profit, non-partisan association, advocates as the unifying voice of all 67 Pennsylvania counties and provides leadership and support for excellence in county government. CCAP members include county commissioners, council members, county executives, administrators, chief clerks and solicitors. Founded in 1886, CCAP is an affiliate of the National Association of Counties (NACo).

For more information about any of the 2024 County Government Priorities, please visit [www.pacounties.org](http://www.pacounties.org) and click on Priorities under the Advocacy tab or email [PACountiesGR@pacounties.org](mailto:PACountiesGR@pacounties.org).



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County Commissioners Association of Pennsylvania  
PO Box 60769 • Harrisburg, PA 17106-0769  
[www.pacounties.org](http://www.pacounties.org) • @PACountiesGR