

# LEGISLATIVE BULLETIN

## COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA THE VOICE OF PENNSYLVANIA COUNTIES

### COUNTY PRIORITIES SPOTLIGHT: BEHIND THE SCENES OF CHOOSING COUNTY GOVERNMENT PRIORITIES

The legislative priorities selected each fall by CCAP members are not just CCAP priorities – they are truly county priorities chosen by Pennsylvania’s counties. Each fall prior to the CCAP Fall Conference, members of CCAP’s policy committees meet to develop proactive legislative work plans to help focus their efforts on a set of actions and objectives to be achieved in the coming year related to county issues and goals. From those meetings, committees suggest priorities, which are then reviewed by the Resolutions and Policy Committee and ultimately voted on by all members, composed of county commissioners, chief clerks, county administrators, and solicitors, during the Fall Conference hybrid business meeting.

As another year begins, Pennsylvania’s counties have selected eight legislative priorities for 2024, each of which highlights CCAP members’ commitment to core county responsibilities and ultimately to the people and communities in Pennsylvania.

CCAP Board members will announce the 2024 priorities on January 24, and a special edition bulletin will be sent out to highlight them following the announcement. Additional information and resources on each priority will also be available at [www.pacounties.org](http://www.pacounties.org) on the Priorities [webpage](#).

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### IFO ISSUES 2023 IMPACT FEE ESTIMATES

On December 13, the Independent Fiscal Office (IFO) [released](#) estimates of shale gas impact fee collections for calendar year 2023, which producers will remit in April 2024. Based on production data and recent natural gas prices, the IFO is estimating that collections will be \$174 million, representing a \$104.8 million (-37.6%) decrease from collections the prior year. The decrease is attributed primarily to a lower fee schedule, noting the average price of natural gas was \$2.74 per MMBtu, a reduction of \$3.91 from the prior year. In addition, this includes a net impact from new wells drilled and reduced collections from aging wells as there were fewer new wells drilled in 2023 than any other year since the fee’s inception. The full report is available on the [IFO website](#).

The exact effect on overall revenue collections – and therefore, on local government distributions which will occur around July 1 – will not be known until after the April 1 collection deadline. Act 13 payment information will be available on the [PUC website](#) in mid-June, and the PUC will not release estimates or actual payment information prior to June 15.

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### RECENT NEWS FROM THE OFFICE OF OPEN RECORDS

Late last year, the Office of Open Records (OOR) released a [report](#) highlighting Right-To-Know Law information (RTKL) on government agency websites. In the report, which contains information from 96 state and local agency websites, including municipalities, schools, community colleges, police departments, counties, municipal authorities and commonwealth agencies, the OOR found 84% provide contact information for the agency open records officer while 48% provide contact information for the Office of Open Records or other applicable appeals officer. The findings also showed 80% provide a request form and 54% provide regulations, policies and procedures of the agency relating to RTKL. The report also highlights RTKL information best practices, which all governmental agencies are encouraged to review.

Additionally, the OOR highlighted in a recent blog [post](#) several pending agency actions, including redaction of bank account and routing numbers on financial records and if full names of corrections officers are exempt from public access. Both cases are pending further action and more details on each case can be found on the OOR [website](#).

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## FEDERAL BROADBAND AFFORDABILITY PROGRAM ENDING SOON, EXTENSION PROPOSED

The Federal Communications Commission (FCC) recently [announced](#) plans to wind down the Affordable Connectivity Program (ACP), which provides low or no-cost broadband service access to eligible individuals. The ACP, funded through the Bipartisan Infrastructure Law, is projected to run out of funding by the end of April 2024 and the FCC will cease accepting new enrollments for the ACP after February 7, 2024. This resource is a critical component highlighted in the Pennsylvania State Broadband [Plan](#) and Digital Equity Plan to ensure all Pennsylvanians have access to affordable and reliable internet service. In Pennsylvania alone, nearly 740,000 households have [benefitted](#) from the program.

Due to the program's impact and importance, a program extension was introduced in Congress on January 10. The appropriately named Affordable Connectivity Program Extension Act, a bipartisan, bicameral proposal, would extend funding for the ACP through the end of 2024. The National Association of Counties (NACo), along with over 400 other entities and broadband stakeholders, have endorsed the legislation and counties across the United States are encouraged to conduct outreach in support of this critical broadband program. More information on the ACP and advocacy resources are available on NACo's [website](#).

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## ICYMI: ACTS AFFECTING COUNTY GOVERNMENT 2023

During the first half of the 2023-2024 legislative session, the General Assembly and Governor Shapiro have signed over 60 acts into law, several of which have implications for counties. Some of the most recent acts are included below and a complete list of [2023 acts affecting county government](#), including the bill number, the date the bill was signed and a brief summary can be found on the CCAP [Legislative Action Center](#).

### [Act 44 of 2023](#) – Probation Reforms

Sponsored by Sen. Lisa Baker (R-Luzerne), Act 44 (SB 838) amends Title 42 (Judiciary and Judicial Procedure), providing for conditions of probation, the modification or revocation of orders of probation, and probation review conferences. The key element of Act 44 requires a mandatory probation review conference for probationers, providing criteria for when they occur and a presumption that probation will be terminated unless the individual does not qualify. Act 44 also allows the review conference to occur earlier based on the good conduct of defendants by achieving certain educational, employment or other goals. A provision to allow for the waiving of the mandatory review conference in cases where all stakeholders agree it is unnecessary is also included.

### [Act 47 of 2023](#) – Pregnant and Postpartum Incarcerated Women

Act 47 (HB 900), sponsored by Rep. Morgan Cephas (D-Philadelphia), amends Title 61 (Prisons and Parole), expanding reporting systems for restraints used on pregnant, laboring and postpartum individuals. Further requires only female staff to be present during the examination, labor, or delivery of a pregnant incarcerated person, unless

otherwise necessary. Additionally, Act 47 provides incarcerated individuals with free feminine hygiene and incontinence products at state and county correctional institutions. Counties not already providing these products to inmates would bear the cost of doing so once the act takes effect.

### **Act 60 of 2023 – Heart and Lung Expansion**

Sponsored by Sen. Mike Regan (R-Cumberland), Act 60 (SB 429) allows for expansion of benefits under the Heart and Lung Act to county corrections and probation officers. While counties would be permitted to choose whether to offer the expanded benefits, the choice to do so cannot be reversed in the future, regardless of changing economic circumstances, further expansion of Heart and Lung benefits or other factors.

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## **NACo LEGISLATIVE CONFERENCE**

The National Association of Counties (NACo) 2024 Legislative Conference will be held in person in Washington, D.C., from February 10-13. During the conference, NACo's ten policy steering committees will meet to consider adoption of interim policy resolutions that will guide NACo advocacy until their Annual Conference in July. Additional details regarding the upcoming conference and interim policy resolutions are available on the NACo Legislative Conference [webpage](#).

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