

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 922 Session of 2003

INTRODUCED BY TARTAGLIONE, D. WHITE, SCHWARTZ, TOMLINSON, KITCHEN, WAGNER, STOUT, MUSTO, LAVALLE, LOGAN, LEMMOND, PILEGGI, COSTA, RAFFERTY, C. WILLIAMS, KASUNIC, STACK, BOSCOLA, O'PAKE, RHOADES, WOZNIAK, HUGHES, FERLO, KUKOVICH, CONTI, MOWERY, A. WILLIAMS, MELLOW, ORIE, PICCOLA, FUMO AND DENT, SEPTEMBER 29, 2003

AS AMENDED ON THIRD CONSIDERATION, MARCH 16, 2004

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, providing for custodial care
3 facilities.

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

6 Section 1. Section 7102 of Title 35 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition to read:
8 § 7102. Definitions.

9 The following words and phrases when used in this part shall
10 have, unless the context clearly indicates otherwise, the
11 meanings given to them in this section:

12 \* \* \*

13 "Custodial child care facility." A child day care CENTER AS <—
14 DEFINED UNDER SECTION 1001 OF THE ACT OF JUNE 13, 1967 (P.L.31,
15 NO.21), KNOWN AS THE PUBLIC WELFARE CODE, or nursery school
16 licensed or regulated by the Commonwealth.

1 \* \* \*

2 Section 2. Sections 7313(1)(iii) and (4) and 7701(f) and (g)  
3 of Title 35 are amended to read:

4 § 7313. Powers and duties.

5 The agency shall have the following powers and duties:

6 (1) To prepare, maintain and keep current a Pennsylvania  
7 Emergency Management Plan for the prevention and minimization  
8 of injury and damage caused by disaster, prompt and effective  
9 response to disaster and disaster emergency relief and  
10 recovery. The plan may include provisions for:

11 \* \* \*

12 (iii) Assistance to Commonwealth [and] agencies,  
13 local government officials, schools and custodial child  
14 care facilities, in designing emergency management plans  
15 and training programs.

16 \* \* \*

17 (4) To provide technical advice and assistance to  
18 Commonwealth agencies [and], political subdivisions, schools  
19 and custodial child care facilities in the preparation of  
20 disaster emergency management plans or components thereof and  
21 to periodically review such plans and suggest or require  
22 revisions.

23 \* \* \*

24 § 7701. Duties concerning disaster prevention.

25 \* \* \*

26 (f) Disaster response and emergency preparedness drills.--  
27 Annually, [as coordinated by the Pennsylvania Emergency  
28 Management Agency with local emergency management agencies,]  
29 schools and custodial child care facilities shall conduct at  
30 least one [tornado or other] disaster response or emergency

1 preparedness plan drill. [All schools shall have disaster  
2 response plans.]

3 (g) Plans.--Every school district and custodial child care  
4 facility, in cooperation with the local Emergency Management  
5 Agency and the Pennsylvania Emergency Management Agency, shall  
6 develop and implement a comprehensive disaster response and  
7 emergency preparedness [plans.] plan consistent with the  
8 guidelines developed by the Pennsylvania Emergency Management  
9 Agency and other pertinent State requirements. The plan shall be  
10 reviewed annually and modified as necessary. A copy of the plan  
11 shall be provided to the county emergency management agency.

12 Section 3. This act shall take effect in 60 days.