

**CHAPTER 471. FIRST CHANCE TRUST FUND—STATEMENT OF
POLICY**

- Sec.
471.101. Purpose.
471.102. Definitions.
471.103. Risk factors.
471.104. Maintenance and use of the Fund.

Authority

The provisions of Chapter 471 issued under section 12.1 of the act of October 30, 2017 (P.L. 725, No. 44), unless otherwise noted.

Source

The provisions of Chapter 471 adopted January 26, 2018, effective January 27, 2018, 48 Pa.B. 608, unless otherwise noted.

§ 471.101. Purpose.

This chapter is adopted to administer the Fund.

Authority

The provisions of this § 471.101 amended under section 1751-A.1 of The Fiscal Code (72 P.S. § 1751-A.1).

Source

The provisions of this § 471.101 amended January 6, 2023, effective January 7, 2023, 53 Pa.B. 20. Immediately preceding text appears at serial page (389887).

§ 471.102. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Child—An individual under 18 years of age who resides in this Commonwealth.

Department—The Department of Corrections of the Commonwealth.

Fund—The First Chance Trust Fund established under section 1753-A.1 of The Fiscal Code (72 P.S. § 1753-A.1).

Program—An evidence-based or outcome-based program for children who meet the eligibility requirements determined by the Commission aimed at reducing risk factors and producing positive outcomes, which may include mentoring, individual counseling and therapeutic services, and family-strengthening activities.

Scholarship program—A program which assists students in obtaining education or other vocational training that meets all of the following criteria:

- (i) The student resides within this Commonwealth and attends an educational or vocational training institution located in this Commonwealth.
- (ii) The student is 24 years of age or younger.

(iii) The student meets other eligibility requirements as determined by the Commission in accordance with section 1753-A.1 of The Fiscal Code.

Authority

The provisions of this § 471.102 amended under section 1751-A.1 of The Fiscal Code (72 P.S. § 1751-A.1).

Source

The provisions of this § 471.102 amended January 6, 2023, effective January 7, 2023, 53 Pa.B. 20. Immediately preceding text appears at serial page (389887).

§ 471.103. Risk factors.

The Commission is required under Subarticle F of Article XVII-A.1 of The Fiscal Code (72 P.S. §§ 1751-A.1—1755-A.1) to identify risk factors that lead to criminal behavior for children and students in regions of this Commonwealth which have statistically higher high school dropout rates, high incarceration rates or are in areas of high crime, which shall be used by the Commission in determining eligibility for allocation of funds. Research has identified risk factors that are known to predict increased likelihood of delinquency and violent behavior among youth. The Risk and Protective Framework, which is utilized to implement the Communities-That-Care model, and the Pennsylvania Youth Survey, identifies these risk factors as follows:

- *Community*
 - Low neighborhood attachment
 - Perceived availability of drugs (risk factor for violence only)
 - Perceived availability of handguns
 - Community laws and norms favorable toward drug use, firearms and crime
- *Family*
 - Family history of antisocial behavior
 - Poor family management
 - Family conflict
 - Parental attitudes favorable toward drugs and antisocial behavior
- *School*
 - Academic failure
 - Low commitment to school
- *Peer and Individual*
 - Rebelliousness
 - Gang involvement
 - Perceived risk of drug use
 - Attitudes favorable toward antisocial behavior and drug use
 - Friend's use of drugs
 - Interaction with antisocial peers
 - Depressive symptoms

Source: Pennsylvania Youth Survey (PAYS) State Report 2021.

Authority

The provisions of this § 471.103 amended under section 1751-A.1 of The Fiscal Code (72 P.S. § 1751-A.1).

Source

The provisions of this § 471.103 amended January 6, 2023, effective January 7, 2023, 53 Pa.B. 20. Immediately preceding text appears at serial pages (389887) to (389888).

§ 471.104. Maintenance and use of the Fund.

(a) The Commission will allocate revenues from the Fund for the following purposes:

(1) Establishing and operating a scholarship program for students in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission.

(2) Providing grants to programs that benefit children in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission.

(b) Students and programs that benefit children in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission shall be eligible for participation in the grant and scholarship programs as provided for in this chapter. The Commission will utilize data provided by the Department of Education to determine regions of this Commonwealth having statistically higher high school dropout rates, data provided by the Department to determine regions of this Commonwealth having statistically higher incarceration rates and data provided by the Pennsylvania State Police to determine regions of this Commonwealth having statistically higher crime rates.

(c) Members of the Juvenile Justice and Delinquency Prevention Committee, the Victims Services Advisory Committee, the School Safety and Security Committee and the Commission shall establish the application process for the scholarship program and grants to programs. Recommendations to the Commission regarding scholarship and grant awards shall be made by this workgroup.

(d) Within 15 days of the last day of each month, the Commission and the Office of the Budget, in consultation with the State Treasurer, will compute the total amount of revenue from all sources received by the Commonwealth during the immediately preceding month which will be deposited into the Fund by the State Treasurer in accordance with this chapter. By December 1 of each year in which the balance of the Fund contains at least \$100,000, the Commission will announce the availability of grant or scholarship opportunities, or both.

Authority

The provisions of this § 471.104 amended under section 1751-A.1 of The Fiscal Code (72 P.S. § 1751-A.1).

Source

The provisions of this § 471.104 amended January 6, 2023, effective January 7, 2023, 53 Pa.B. 20. Immediately preceding text appears at serial pages (389888) to (389889).

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