



HOUSE COMMITTEE ON APPROPRIATIONS

2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 1592

PRINTER'S NO: 1973

PRIME SPONSOR: Baker

FISCAL IMPACT SUMMARY	FY 2009/10	FY 2010/11
Expenditure Increase/(Decrease):		
General Fund	*See Analysis	*See Analysis

OVERVIEW:

House Bill 1592 amends section 7507.1 (Invasion of privacy) in Title 18 (Crimes and Offenses) providing for a misdemeanor of the second degree as the penalty for a violation related to invasion of privacy if a victim is a minor.

This legislation also adds language providing that it is not a defense to prosecution if the defendant claims that he did not know the age of the victim. Neither a misrepresentation of age by the child nor a bona fide belief that the person is over the specified age shall be a defense.

This act shall take effect in 60 days.

ANALYSIS:

It is not possible to determine how many individuals may be sentenced under this legislation; nor is it possible to predict what type of sentencing individuals may receive as are result of conviction. However, it is assumed that there may be a fiscal impact on both Commonwealth funds and local funds as a result of the enactment of this legislation. A misdemeanor of the second degree is punishable by up to two years in prison and/or a fine up to \$5,000. Individuals imprisoned under this legislation would likely serve time in county jails.

The average cost in 2008 for incarcerating an offender in a state correctional institution is almost \$35,000 per year (including health care). According to the Board of Probation and Parole, in 2008 the average cost for state parole supervision was \$3,139 per year. The average cost in 2008 for incarceration in a county jail is approximately \$50 per day or \$18,250 per year. The average cost for supervising a county adult offender in 2007 was \$680 per year.

While this legislation is expected to have minimal fiscal impact, if considered in conjunction with other legislation that increases the grading of penalties or creates new penalties, the impact to state and/or local governments may be substantial.

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House Appropriations Committee, (D)

DATE: October 8, 2009

General Note and Disclaimer: *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*