



HOUSE COMMITTEE ON APPROPRIATIONS  
2009-10 Legislative Session

**FISCAL NOTE**

**HOUSE BILL:** 1859

**PRINTER'S NO:** 4056

**PRIME SPONSOR:** Staback

<b>FISCAL IMPACT SUMMARY</b>	<b>FY 2010/11</b>	<b>FY 2011/12</b>
<b>Expenditure Increase/(Decrease):</b>		
General Fund	See Analysis	See Analysis
Local Funds	See Analysis	See Analysis
<b>Revenue Increase/(Decrease):</b>		
Game Fund	See Analysis	See Analysis

**OVERVIEW:**

House Bill 1859 amends Title 34 (Game and Wildlife Code) to increase fines and penalties for violations of the Game Law and establishes new penalties and offenses providing for the fines and length of imprisonment associated with them.

This act shall take effect in 60 days.

**ANALYSIS:**

Revenue generated via the collection of fines for violations of Title 34 are deposited in the Game Fund. The Game Commission currently receives about \$1.1 million in revenue from fines. The Commission estimates a maximum revenue increase of \$500,000 to \$750,000 annually from the increased fines specified in the bill. This estimate is based on the historical number of prosecutions for each of the affected violations and applying the maximum possible increase for each. However, the actual amount of increased revenue cannot be quantified at this time as it is dependent on the amount of fines that may be assessed.

The addition of imprisonment as an option for penalizing certain violators of Title 34 creates the potential for fiscal impact on local and Commonwealth funds. It is not possible to determine how many individuals may be charged, convicted, and sentenced under this act. At the sentencing stage, a convicted offender could receive punishment at either the state or local level. An additional fiscal impact on county budgets may be incurred as a result of a provision that allows a person that has not paid his fines to be incarcerated until such fines are paid. Specific costs related to this provision cannot be quantified.

The average cost in 2010 for incarcerating an offender in a state correctional institution is about \$35,000 per year (including health care). According to the Board of Probation and Parole, in 2010 the average cost for state parole supervision is \$3,000 per year. The average cost in 2010 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 2010 is \$800 per year.

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 have an adverse impact on Commonwealth funds.

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**DATE:** July 3, 2010

**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.*