



HOUSE COMMITTEE ON APPROPRIATIONS

2009-10 Legislative Session

FISCAL NOTE

SENATE BILL: 260

PRINTER'S NO: 2134

PRIME SPONSOR: Baker

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

OVERVIEW:

Senate Bill 260 amends § 6312 (Sexual abuse of children) of Title 18 (Crimes and Offenses). Under this bill, the Attorney General will have the authority to investigate and to institute criminal proceedings for any violation of § 6312 or any serious of violations of Section 6312 involving more than one county of the Commonwealth or involving any county of the Commonwealth and another state. No person charged with a violation of §6312 by the Attorney General shall have standing to challenge the authority of the Attorney General to investigate or prosecute the case. The Attorney General's jurisdiction provided for in Senate Bill 260 is in addition to the authority conferred upon the Attorney General under the Commonwealth Attorneys Act.

Senate Bill 260 also amends §6301 (Corruption of minors) of Title 18 (Crimes and Offenses). Under this bill, anybody being of the age of 18 years and upwards, by any course of conduct in violation of Chapter 31 (relating to sexual offenses), who corrupts or tends to corrupt the morals of any minor less than 18 years of age, or who aids, abets, entices, or encourages any such minor in the commission of an offense under Chapter 31 (relating to sexual offenses) commits a felony of the third degree.

This act shall take effect in 60 days.

ANALYSIS:

According to the Office of the Attorney General, the enactment of Senate Bill 260 is not expected to have an adverse fiscal impact on the Commonwealth regarding §6312 (Sexual abuse of children).

Regarding §6301 (Corruption of minors), a felony of the third degree is punishable by up to seven years imprisonment and a maximum fine of \$15,000. 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.

The average cost in 2010 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 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.

PREPARED BY: Rayko Pacana, Budget Analyst
House Appropriations Committee, (D)

DATE: September 29, 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.*