



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1442

PRINTERS NO. 2386

PRIME SPONSOR: M. White

COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
General Fund	\$0	\$0

SUMMARY: Senate Bill 1442, Printer's Number 2386, amends Title 51 (Military Affairs) of the PA Consolidated Statutes, repealing and adding sections related to military justice; and establishing the State Military Justice Fund. This legislation would take effect in one year.

ANALYSIS: The bill amends Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes by repealing and adding various sections to update the Pennsylvania Code of Military Justice (PCMJ), which enforces rules and discipline upon the Pennsylvania National Guardsmen who are not in active federal service, in order to be consistent with the Model State Code of Military Justice (i.e. Model Code).

Several of the revisions and policy issues address the following: maximum punishments; clarifying how and where court-martial jurisdiction applies; making the term non-judicial punishment consistent with the Model Code; addressing the review of cases and appeals of court-martials; updating military offenses including a provision related to wrongful use or possession of controlled substances; clarifying absent without leave (i.e. AWOL) and how it is charged; and addressing mental responsibility and incapacity.

The bill also establishes a new special non-lapsing fund entitled the State Military Justice Fund. The fund will be administered by the Adjutant General and shall be used to pay expenses incurred in the administration of military justice. All fines, penalties, fees and other moneys paid to the Commonwealth under the PCMJ shall be deposited in the fund.

FISCAL IMPACT: Enactment of this bill will have no fiscal impact upon Commonwealth funds.

PREPARED BY: Jeffrey Clukey
House Appropriations Committee (R)

DATE: October 15, 2012

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.