



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 663

PRINTERS NO. 751

PRIME SPONSOR: Ellis

### COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
General Fund	\$0	See "Fiscal Impact" below.

**SUMMARY:** House Bill 663 amends Chapter 30 of the Crimes Code concerning trafficking of persons. It also amends the Judicial Code concerning coercion into prostitution. It would take effect in 60 days.

**ANALYSIS:** This legislation adds a definition of commercial sex to the Crimes Code chapter on trafficking of persons and clarifies, in section 3002, that the prohibition against trafficking of persons includes trafficking persons for commercial sex.

House Bill 663 also adds a new section 3002.1 to the Crimes Code, which defines the offense of selling or buying of minors into commercial sex, which applies specifically to the parents or guardians of the minors, and is a felony of the first degree.

This bill also adds a new section 8307.1 to the Judicial Code establishing a civil cause of action for damages, including reasonable attorney fees, against a person who coerced the plaintiff into or to remain in prostitution, or to collect or receive any part of the plaintiff's earnings from prostitution.

**FISCAL IMPACT:** The changes to section 3002 of the Crimes Code are anticipated to have no adverse fiscal impact on Commonwealth funds. According to the Pennsylvania Commission on Sentencing, there have only been two convictions under the Crimes Code for human trafficking since the section took effect in 2007. Therefore, these changes to the section are not expected to increase sentences or convictions to an extent that would impact state or local corrections or probation and parole budgets.

The addition of section 3002.1 to the Crimes Code could have a fiscal impact on the Commonwealth, to the extent that individuals are tried, convicted, and sentenced under this new section. However, reliable data do not exist to determine what that impact may be. A felony of the first degree carries a prison sentence of not more than 20 years. The current average cost of incarcerating an offender in state prison is \$35,000 per year and the average cost for state parole supervision is \$2,500 per year. The average cost for incarceration in a county jail

is approximately \$70 per day or \$25,615 per year. The average cost for supervising a county adult offender is \$860 per year.

The addition of section 8307.1 to the Judicial Code will have no adverse impact on Commonwealth funds.

**PREPARED BY:** Jeff Miller  
House Appropriations Committee (R)

**DATE:** April 22, 2013

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