



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 1296

PRINTERS NO. 2422

PRIME SPONSOR: Sabatina

### COST / (SAVINGS)

FUND	FY 2013/14	FY 2014/15
General Fund	See "Fiscal Impact" below.	

**SUMMARY:** House Bill 1296 amends the Crimes Code concerning burglary and home invasion. It would take effect in 60 days.

**ANALYSIS:** This legislation amends the Crimes Code section on "Burglary" to "Burglary and Home Invasion." Home invasion is defined as a burglary where the offender is armed with a deadly weapon or explosive or a burglary during which the offender commits one of the following crimes: criminal homicide; aggravated assault; unlawful restraint; rape; involuntary deviate sexual intercourse; sexual assault; aggravated indecent assault; or indecent assault. Home invasion carries a mandatory minimum sentence of five years in prison. A second or subsequent offense, or any offense in which the victim is 62 years of age or older, carries a mandatory minimum of ten years in prison.

**FISCAL IMPACT:** According to the Pennsylvania Commission on Sentencing, about 70% of individuals convicted of crimes that would qualify them for the new five-year minimum sentence imposed by this bill are already receiving sentences of five years or more. The impact on the remaining 30% would be approximately three additional inmates to the Department of Corrections (DOC) during the first year after enactment, increasing and leveling off at about 44 additional inmates in DOC at year five and beyond.

The impact of the ten-year mandatory minimum is more difficult to gauge since data on the age of victims is not very reliable. However, according to Pennsylvania State Police Uniform Crime Reports, approximately 20% of burglary victims are 60 years of age or older. Therefore, it is expected 10-12 offenders per year would have the ten year minimum applied, with impacts on the DOC experienced at six to ten years after enactment.

Enactment of this legislation is not expected to have a significant impact on DOC population or expenditures.

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

**DATE:** October 22, 2013

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