



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 646

PRINTERS NO.

689

PRIME SPONSOR: Ward

### COST / (SAVINGS)

| FUND         | FY 2016/17 | FY 2017/18        |
|--------------|------------|-------------------|
| General Fund | \$0        | See Fiscal Impact |

### SUMMARY:

House Bill 646, Printer's Number 689 amends Section 2702 (Aggravated Assault) of Title 18 (Crimes and Offenses) to include health care practitioners.

### ANALYSIS:

Under current law, an individual who attempts to cause or intentionally, knowingly or recklessly causes serious bodily injury to any officers, agents, employees as outlined in Section 2702 (c), commits the offense of aggravated assault. HB 646 includes health care practitioners to the list of enumerated agents, officers or employees. The definition of health care practitioner is referenced in Section 103 of the Health Care Facilities Act.

This legislation will take effect in 60 days.

### FISCAL IMPACT:

Enactment of this legislation could have a fiscal impact on the Commonwealth by increasing sentences for those convicted of assaulting health care practitioners. However, reliable data is not available at this time to estimate the extent of that impact.

According to Pennsylvania Commission on Sentencing there were approximately 4,500 convictions of simple assaults in 2015, and approximately 1,800 for aggravated assault in 2016. However, reliable data do not exist to determine how many of these were for assaults on health care practitioners.

It would be difficult to determine how many additional aggravated assault arrests, convictions and sentences would result from enactment of this legislation. The aggravated assault of any officer, agent or employee covered under the legislation would result in a charge of a felony of the second degree (fine up to \$25,000 and maximum prison penalty of 10 years). The grading of aggravated assaults resulting in serious bodily injury against these individuals would also be increased from a felony of the second degree, to a felony of the first degree (fine up to \$25,000 and maximum prison penalty of 20 years).

**PREPARED BY:** Jenny P. Stratton  
House Appropriations Committee (R)

**DATE:** June 19, 2017

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