

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 1197

PRINTER'S NO. 1793

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

November 26, 2013

PRIME SPONSOR

Senator Greenleaf

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 1197 amends Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to make changes affecting the juvenile justice system within the Commonwealth.

Specifically, this legislation does all of the following:

Title 18 Amendment:

- Amends Title 18 to stipulate that prior to the expungement of a juvenile record involving summary offenses committed by an individual under the age of 18, the offender must not have committed a felony, misdemeanor or been adjudicated delinquent or have proceedings pending to seek such conviction or adjudication since satisfying all terms and conditions of the sentence for the summary offense.

Title 42 Amendments:

- Adds provisions related to the Philadelphia Municipal Court so juveniles in Philadelphia receive the same protections as juveniles appearing before magisterial district judges in other counties and adds courts of common pleas to the summary offense section so juvenile proceeding requirements apply to summary offenses that are appealed to the courts of common pleas;
- Requires that the disposition of cases where a child has been alleged to be delinquent, including the disposition of cases resulting in an adjudication of delinquency, shall be provided to the Pennsylvania State Police for inclusion in the central repository as determined by the Administrative Office of Pennsylvania Courts (AOPC) in consultation with the Juvenile Court Judges' Commission (JCJC).
- Authorizes the Juvenile Court Judges' Commission to access information, as the Commission determines is necessary to fulfill its responsibilities, pertaining to cases of children who have been alleged to be delinquent.

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- Amends the definition of “juvenile offender” for purposes of sex offender registration to treat out-of-state adjudications of delinquency the same as in-state adjudications. This will ensure that the only out-of-state adjudications of delinquency that fall within the definition are those that result from equivalent offenses committed in the other state on or after December 20, 2013 by individuals 14 years of age or older.
- Ensures that if a juvenile is required to initially register at the time he/she is adjudicated delinquent because he/she was adjudicated delinquent in a county other than his county of residence and the court intends to transfer the case for disposition to the juvenile’s county of residence, the court should classify the individual as a “juvenile offender” at that time as well.

According to the AOPC and JCJC, these changes coincide with the deployment of the Juvenile Delinquency module of the Common Pleas Case Management System (CPCMS), located within AOPC, which is beginning this month (March 2014). According to the Pennsylvania State Police (PSP), they are not yet prepared to receive the information in the format in which the CPCMS will provide it, therefore, the JCJC will continue to provide the information to the PSP until they are prepared to receive it in the format in which the CPCMS generates it.

FISCAL IMPACT:

According to the AOPC and JCJC, the enactment of this legislation will have no adverse effect on Commonwealth funds.