



HOUSE COMMITTEE ON APPROPRIATIONS
2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 1926

PRINTER'S NO: 3800

PRIME SPONSOR: R. Taylor

FISCAL IMPACT SUMMARY	FY 2009/10	FY 2010/11
Expenditure Increase/(Decrease):		
General Fund	\$0	\$1,301,000

OVERVIEW:

House Bill 1926 amends Title 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) further providing for the registration of sexual offenders.

The bill primarily addresses registered sex offenders who are homeless, transient, or who lose a permanent address during their registration period (10 years or lifetime). It also provides for registration of certain out of state offenders who relocate to the Commonwealth.

Sexually violent predators (SVP's) who do not have a residence must register every 30 days with the Pennsylvania State Police (PSP) as "transients" and must appear every 30 days at an approved registration site to provide updated registration information to PSP about his or her "habitual locale."

The PSP shall have standing and shall be a party in a proceeding brought by an offender or SVP who requests to be removed from the registry of sexual offenders. The PSP may certify and send to an authorized user Megan's Law records and such records shall be admissible into evidence.

Under this bill, the court may create a standard petition for indigence for use by SVPs and the parole office in the courts may request an SVP's indigence status to be reviewed. Filing fees for the determination shall be waived. Upon request of the parole office, a SVP's indigence status shall be reviewed by the court and a determination shall be made as to whether the individual will remain eligible for funded, mandatory counseling sessions. House Bill 1926 provides for the Sexual Offenders Assessment Board (SOAB) to pay for counseling sessions instead of the parole office.

House Bill 1926 requires that all individuals taken into custody or incarcerated on or after the effective date of this section, were convicted, adjudicated, or court marshaled for an offense which would have subjected the individual to register under Megan's Law.

This portion of this bill providing for out of state offenders to register takes effect in 60 days. The remainder of the bill shall take effect immediately.

ANALYSIS:

This fiscal note assumes House Bill 1926 is enacted July 1, and therefore has no fiscal impact in FY 2009/10.

According to PSP, they estimate annual costs at \$1.3 million as result of doing background checks on any individual who is taken into custody or incarcerated. This \$1.3 million figure does not include additional office space and necessary equipment. PBPP may also be fiscally affected as they take individuals into custody and these individuals would need to be referred to PSP for retroactive background checks.

According to the Pennsylvania Board of Probation and Parole (PBPP), the SOAB is currently paying for the mandatory monthly counseling of seven indigent SVPs. PBPP also indicates that they believe the language of parole board is vague and doesn't clarify whether it is a state parole issue or a county parole issue. Currently, certain counties pay for indigent counseling and certain counties do not; the Commonwealth funds counseling for the counties who do not. While costs are minimal now, PBPP believes that in future years costs for the SOAB could increase significantly.

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House Appropriations Committee, (D)

DATE: June 7, 2010

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