



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 75

PRINTERS NO. 3827

PRIME SPONSOR: Marsico

FUND: General

COST / (SAVINGS)

FY 2011/12	FY 2012/13
\$0	(\$4,500,000)

SUMMARY: House Bill 75 amends the Crimes Code and the Judicial Code concerning the juvenile matters and the registration of sex offenders.

ANALYSIS: This legislation amends Chapter 63 of the Judicial Code concerning juvenile matters. It expands the definition of child up to age 21 for a child who requests the court to retain jurisdiction and the court determines the child is either pursuing additional education or training, employed for at least 80 hours a month, or incapable of doing either due to a medical or behavioral health condition.

This legislation makes several revisions to Act 111 of 2011, which closed loopholes in Megan's Law and made Pennsylvania compliant with the federal Adam Walsh Child Protection and Safety Act, to clarify certain provisions prior to implementation. It corrects drafting errors and adds language to ease the administration of the act. Language is added making the act applicable to juvenile offenders who come to Pennsylvania from different jurisdictions. Consistent with Megan's Law, juvenile offenders coming to Pennsylvania from out-of-state who have to register in their home states will have to register with the State Police.

It also adds language requiring probationers and parolees who were registered under Megan's Law prior to the effective date of the act to register with the State Police.

In addition, it removes the requirement that a sex offender who was on the registry, and served the required term on the registry, to go back on the sex offender registry if they commit a subsequent offense graded as a felony (the felony does not have to be a sex offense). Alternatively, requires the offender to be placed on the registry if convicted of another sex offense.

It also addresses several State Police administrative issues.

FISCAL IMPACT: The enactment of this legislation will allow the Commonwealth to reduce state expenditures through the Department of Public Welfare (DPW) by \$4.5 million in 2012-2013. This reduction is offset by an increase of \$5.0 million in Federal Title IV-E revenue and a decrease in \$1.5 million county match. DPW will draw down this additional Federal money for some child welfare services that were previously paid using only state and local funding.

The enactment of this legislation may increase costs to the Commonwealth to the extent that homeless individuals receive the two year mandatory minimum for failing to register under Megan's Law. There is no reliable data on how many homeless offenders will fail to register, be caught and subsequently sentenced to the two year minimum. However, the Department of Corrections does not believe the number would be large enough to have a significant impact on prison costs.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: June 27, 2012

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