



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 78

PRINTERS NO. 921

PRIME SPONSOR: Benninghoff

FUND: General

### COST / (SAVINGS)

FY 2010/11	FY 2011/12
\$0	\$0

**SUMMARY:** Amends the Pennsylvania Fish & Boat Code to increase the grading and penalty for the offense of homicide by watercraft while operating under the influence of alcohol or drugs.

**ANALYSIS:** This legislation will amend Section 5502.1 (relating to homicide by watercraft while operating under the influence) of Title 30 (Fish & Boat Code). The bill increases the grading of this offense to a felony of the second degree, and therefore increases the maximum penalty to a fine of not less than \$5,000 nor more than \$25,000, or imprisonment not exceeding ten years, or both. This legislation also provides that a consecutive three-year term of imprisonment shall be imposed for each victim whose death is a result of a violation of Section 5502.

**FISCAL IMPACT:** House Bill 78 will have no adverse fiscal impact on Commonwealth funds. Historically, there have been very few cases of homicide by watercraft while operating under the influence of alcohol or drugs. Over the past 20 years there have been a total of two cases. Given the small number of incidents and the modest increases in the length of sentences, it is expected that the impact to the state Department of Corrections would be minimal, if any at all.

**PREPARED BY:** Thomas Gwinn  
House Appropriations Committee (R)

**DATE:** March 4, 2011

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