



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 270

PRINTERS NO. 223 PRIME SPONSOR: Miccarelli

FUND: General

COST / (SAVINGS)

FY 2010/11	FY 2011/12
\$0	Minimal (See Fiscal Impact Below)

SUMMARY:

This legislation amends Title 18, Crimes and Offenses, concerning the sentencing of individuals convicted of multiple counts of child sexual abuse.

ANALYSIS:

Under this legislation, an offender convicted of multiple counts of child sexual abuse at the same trial would be sentenced as a first time offender to a third degree felony for the first count, which carries a maximum sentence of seven years and a maximum \$15,000 fine. For any offenses beyond the first, the individual would be considered a repeat offender and face a second degree felony, which carries a maximum 10 year prison sentence and a maximum \$25,000 fine. Under current law, such an individual could only be sentenced as a first time offender, even for multiple counts.

FISCAL IMPACT:

Enactment of this legislation should have a minimal impact on Commonwealth funds.

According to the Pennsylvania Commission on Sentencing (PCS), in 2009 there would have been 14 offenders affected by this legislation, having a portion of their sentencing increased from a third degree felony to a second. Also according to PCS, the sentences imposed appear much more individualized and may reflect substantial negotiations around convictions and sentences in these multi-count cases.

Reliable data does not exist to predict how many people may be convicted and subsequently have their sentences increased as a result of this legislation. However, given the small pool of defendants falling into this category and the modest increases in the length of sentences, it is expected the impact on county jails and the state Department of Corrections would be minimal.

It is also believed there would be little or no shift from county jails to the Department of Corrections.

At the state level, keeping an individual incarcerated for one year cost approximately \$35,000 in 2010, and supervision by the Board of Probation and Parole cost approximately \$3,000. Incarceration in a county jail cost approximately \$18,250 per year and county parole supervision cost \$800 per year.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: February 28, 2011

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