



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 815

PRINTERS NO. 1711

PRIME SPONSOR: Grove

COST / (SAVINGS)

FUND	FY 2010/11	FY 2011/12
General Fund	\$0	See Below

SUMMARY:

House Bill 815 adds a section on “Sexting by minors” to the Crimes Code.

ANALYSIS:

This legislation creates a new offense, “Sexting by minors” in the Crimes Code. It applies to individuals 13 years of age or older and under 18 years of age who knowingly transmit electronic images of themselves or another minor, or possess an image of another minor engaging in sexually explicit conduct as defined in the bill. It does not include images depicting sexual intercourse or images created for a commercial purpose, which would still be considered sexual abuse of children as defined in section 6312. The offense of sexting would be a misdemeanor of the second degree. However, a minor convicted of violating only this new sexting provision under the Crimes Code cannot be sentenced to placement in a secure detention facility, but would face a lesser punishment. The bill also allows for adjudication alternatives for minors accused of violating this section.

FISCAL IMPACT:

No reliable data exist to determine the potential fiscal impact of this legislation. Neither the Pennsylvania Commission on Sentencing nor the Juvenile Court Judges’ Commission collect data to allow the prediction of an impact on the judicial system. However, the prohibition against sending a minor to a secure detention facility for violating this new section tends to minimize any potential fiscal impact from this legislation.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: May 11, 2011

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