



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 1289

PRINTERS NO. 3480

PRIME SPONSOR: Pyle

### COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
General Fund	See Fiscal Impact Below	

**SUMMARY:** House Bill 1289 amends the Judicial Code concerning drug trafficking. It would take effect in 60 days.

**ANALYSIS:** This legislation adds a section to the Judicial Code concerning a sentencing enhancement for trafficking drugs in the presence of a minor. It requires the Pennsylvania Commission on Sentencing to create such an enhancement for any person over 18 years of age who is convicted, in a Pennsylvania court, of drug trafficking.

**FISCAL IMPACT:** It is not possible to determine the extent of the fiscal impact of this legislation at this time, primarily for two reasons. First, no reliable data exist to determine what percentage of those convicted of drug trafficking did so in the presence of a minor and would therefore be affected by this sentencing enhancement. Second, the bill requires a sentence enhancement, but does not specify the nature or severity of that enhancement, which is left to the discretion of the Commission on Sentencing. However, any requirement to enhance sentencing has the potential to create of fiscal impact at the state and local level by lengthening the amount of time a convicted individual spends in prison, on probation, or on parole.

**PREPARED BY:** Jeff Miller  
House Appropriations Committee (R)

**DATE:** May 8, 2012

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