



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1521

PRINTERS NO. 3483

PRIME SPONSOR: Harper

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
General Fund	\$0	See "Fiscal Impact"

SUMMARY: House Bill 1521 amends the Crimes Code and the Judicial Code concerning vehicles with unlawful false or secret compartments. It would take effect in 60 days.

ANALYSIS: This legislation adds a subsection on unlawful false or secret compartments to the existing section of the Crimes Code concerning possessing instruments of crime. It makes it a misdemeanor of the first degree to possess a false or secret compartment in a motor vehicle with the intent to employ the compartment criminally.

The bill also adds a section to the Judicial Code concerning forfeiture of a vehicle with an unlawful or secret compartment. Such vehicles may be seized upon process issued by a court of common pleas. However, the vehicle may be seized by law enforcement without process if the seizure is incident to an arrest, the vehicle was the subject of a prior judgment in favor of the Commonwealth, or there is probable cause to believe the vehicle and its false compartment have been used as an instrument of crime.

Once forfeited, custody of the vehicle transfers to the district attorney or the Attorney General, depending upon which law enforcement entities made the arrest. The district attorney or Attorney General may retain the vehicle for official use or sell it. Proceeds from the sale of such a vehicle must be used to enforce the criminal laws of the Commonwealth.

FISCAL IMPACT: It is not possible to estimate the fiscal impact of this legislation at this time. The creation of a new first degree misdemeanor could result in additional people being sentenced to state or local prisons, but reliable data do not exist to determine how many individuals may be convicted of possessing a false or secret compartment in a motor vehicle with the intent to employ the compartment criminally. This legislation could also result in additional revenue for state and local law enforcement from the sale of seized vehicles with false or secret compartments. But again, reliable data do not exist to determine how much additional revenue these sales might produce.

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House Appropriations Committee (R)

DATE: June 18, 2012

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