



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 1603

PRINTERS NO. 1984

PRIME SPONSOR: Quigley

### COST / (SAVINGS)

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

**SUMMARY:** House Bill 1603 amends the Crimes Code concerning retail theft. It would take effect in 60 days.

**ANALYSIS:** This legislation adds a definition of "First offense" to the section of the Crimes Code concerning retail theft. This definition makes it clear that an acceptance of Accelerated Rehabilitative Disposition (ARD) or other form of preliminary disposition before sentencing for a retail theft violation is considered a first offense for sentencing purposes if the individual commits a subsequent retail theft violation.

**FISCAL IMPACT:** Reliable data do not exist to estimate the potential future cost of this legislation. The practical effect of its enactment will be to accelerate the severity of an individual's punishment under the following circumstances: if the thief commits a first offense, is offered ARD, accepts ARD, and then commits an additional theft. This could increase future probation or prison populations. Currently, the average cost of incarcerating an individual in state prison for a year is \$33,000 and the average yearly cost of supervising an individual on state probation is \$3,000. It is more likely that costs will fall on the Board of Probation and Parole since 59% of individuals sentenced for second and third offenses of retail theft in 2010 were given probation, according to data provided by the PA Commission on Sentencing.

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House Appropriations Committee (R)

**DATE:** October 24, 2011

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