



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 474

PRINTERS NO. 1579

PRIME SPONSOR: Killion

COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
General Fund	\$0	See "Fiscal Impact" below.

SUMMARY: House Bill 474 amends the Crimes Code concerning aggravated assault and criminal trespass. Effective dates vary by section.

ANALYSIS: This legislation adds several classes of individuals within the provision enhancing grading and penalties for assaults against enumerated officers, agents, employees and other persons. Those classes of individuals are:

- Volunteer firefighters and special fire police;
- Employees of private residential rehabilitative institutions;
- Crossing guards while acting within the scope of their official capacity as designated by a political subdivision, school entity or police department.

A definition of "public utility employee or an employee of an electric cooperative" is also added to the section on aggravated assault.

The section on criminal trespass is amended by adding "any private residential rehabilitative institution" to the definition of "school grounds".

FISCAL IMPACT: Enactment of this legislation may increase costs to the Commonwealth to the extent that individuals are convicted and sentenced for violating these expanded aggravated assault and criminal trespass provisions. The provisions concerning aggravated assault increase the grading of the offense from a felony of the second degree to a felony of the first degree, increasing the potential maximum sentence from 10 years to 20 years. The provisions concerning criminal trespass increase the grading of the offense from a misdemeanor of the third degree to a misdemeanor of the first degree, increasing the potential maximum sentence from one year to five years.

No reliable data exist on how many individuals may have their sentences increased. The average cost for incarcerating an individual at the State Department of Corrections is approximately \$35,000 per year. The average yearly cost of supervising an individual on state probation or parole is \$3,000. The average cost for incarceration in a county jail is approximately \$70 per day, or \$25,615 per year. The average cost for supervising a county adult offender is \$860 per year.

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House Appropriations Committee (R)

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