



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 215

PRINTERS NO. 463

PRIME SPONSOR: Gingrich

COST / (SAVINGS)

FUND	FY 2014/15	FY 2015/16
General Fund	\$0	\$0

SUMMARY: House Bill 215, printer's number 463, amends the Crimes Code to further provide for the offense of neglect of a care-dependent person and providing for the offense of abuse of a care-dependent person. It would take effect in 60 days.

ANALYSIS: The bill amends Section 2713 of the Crimes Code to broaden the definition of the offense of neglect of a care-dependent person by adding failure to provide treatment, care, goods or services necessary to preserve the health, safety or welfare of the care-dependent person. Intentionally, knowingly, or recklessly endangering the welfare of a care-dependent person by failing to provide treatment, care, or goods or services constitutes a misdemeanor of the second degree unless there is a course of conduct of endangering the welfare of a care-dependent person, in which case the offense constitutes a felony of the third degree. Definitions for legal entity and private care residence are also added. The definition for caretaker is also modified and expanded. A new section is also added to the Crimes Code (proposed as Section 2713.1) to define the offense of abuse of a care-dependent person. The offense is graded as misdemeanor of the first degree unless the offense involves stalking a care-dependent person, in which case the offense is graded as a felony of the third degree.

The Office of Attorney General and district attorneys are provided with the authority to investigate and institute criminal proceedings relating to abuse of a care-dependent person. Additionally, a Commonwealth agency or department that is conducting any regulatory or investigative functions and finds reasonable cause to believe that a violation relating to abuse of a care-dependent person has occurred must immediately submit a report to the local law enforcement agency or to the Office of Attorney General.

FISCAL IMPACT: The enactment of this legislation will have no adverse impact on Commonwealth funds.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: February 10, 2015

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