



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 222

PRINTERS NO. 2861

PRIME SPONSOR: Regan

### COST / (SAVINGS)

FUND	FY 2015/16	FY 2016/17
General Fund	See Fiscal Impact	See Fiscal Impact

**SUMMARY:** House Bill 222, Printer's Number 2861 amends the Human Services Code to prohibit benefits eligibility for individuals convicted of drug distribution. This legislation is effective in 60 days.

**ANALYSIS:** This legislation adds a new section to the Human Services Code stipulating that individuals convicted of a felony for violating specific sections of the Controlled Substance, Drug, Device, and Cosmetic Act and Title 18 Section 7508 (relating to drug trafficking sentencing and penalties) while collecting public assistance will be ineligible for Temporary Assistance to Needy Families (TANF), general assistance and State supplemental assistance.

The applicable sections of the Controlled Substance Act are the so-called "kingpin" provisions which relate to a specific set of offenders who sell and deliver large quantities of illegal drugs.

HB 222 prioritizes substance abuse treatment, and allows a first time offender to remain on public assistance if the individual is complying (or has already complied) with the obligations imposed by the criminal court; is actively engaged or has completed court ordered treatment, and submits to periodic drug screenings for 10 years after the drug-related conviction or term of probation, whichever is longer. Second or subsequent convictions will render such persons ineligible for public assistance, as will failing a drug test or retest for the second time.

The offender remains eligible for Medical Assistance, Commonwealth programs that pay for substance abuse treatment programs and other benefits. Minor children of the offending individual remain eligible for all public assistance benefits.

**FISCAL IMPACT:** In accordance with a provision in this legislation, the Department of Human Services has the sole discretion to determine when it is cost-effective to implement the provisions of this legislation. Therefore, there should be no adverse fiscal impact associated with HB 222.

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House Appropriations Committee (R)

**DATE:** March 14, 2016

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