



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 229

PRINTERS NO. 486

PRIME SPONSOR: Marsico

### COST / (SAVINGS)

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

**SUMMARY:** House Bill 229 amends the Crimes Code concerning harassment. It would take effect in 60 days.

**ANALYSIS:** House Bill 229 creates the offense of cyber harassment of a child within the Crimes Code section on harassment. A person commits the crime of cyber harassment of a child if, with intent to harass, annoy or alarm, the person engages in a continuing course of conduct that involves communicating directly to a child by electronic means such as e-mail or by publication through an electronic social media service. This communication must include seriously disparaging statements or opinions about the child's physical characteristics, sexuality, sexual activity, or mental or physical health or condition; or threats to inflict harm.

**FISCAL IMPACT:** Enactment of this legislation will have no adverse impact on Commonwealth funds. Cyber harassment of a child is graded as a misdemeanor of the third degree, punishable by a maximum \$2,500 fine and/or a maximum of one year in prison. As a result, the fiscal impact will fall on county jails. It is not possible at this time to estimate how many people may be tried, convicted, and sentenced for this new offense. However, the average cost for incarceration in a county jail is approximately \$70 per day, or \$25,550 per year.

**PREPARED BY:** Jeff Miller  
House Appropriations Committee (R)

**DATE:** February 11, 2015

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