



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 1118

PRINTERS NO. 1965

PRIME SPONSOR: Vereb

### COST / (SAVINGS)

FUND	FY 2014/15	FY 2015/16
General Fund	\$0	See "Fiscal Impact" below.

#### SUMMARY:

House Bill 1118 amends the Crimes Code and the Commonwealth Attorneys Act to provide for an independent counsel. It would take effect in 60 days.

#### ANALYSIS:

House Bill 1118 adds a new Chapter, proposed as Chapter 95, to the Crimes Code to provide a process for the appointment of an independent counsel (IC). It establishes a Special Independent Prosecutor's Panel consisting of three judges.

The General Counsel to the Governor would be authorized to appoint a Special Investigative Counsel (SIC) whenever he or she receives sufficient information that the Attorney General, an Assistant Attorney General, senior aide, or campaign chair may have committed an offense classified higher than a misdemeanor of the second degree, or an offense higher than a summary involving a breach of public trust, including the PA Election Code and PA Ethics Act. The SIC must apply to the panel for appointment of an IC if the SIC determines there are reasonable grounds for further investigation or the investigative period expires without determination that further investigation is not warranted.

Once appointed, the IC would have all the powers of the Attorney General, receive an identical per diem salary, be permitted to hire additional staff, and utilize the existing resources of the Pennsylvania State Police.

When requested by the Governor, the General Assembly would appropriate the necessary funds for the operation of the IC and additional State Police costs. The IC must establish cost controls, place responsibility for expenditures on a specific employee and follow policies established by the Office of Administration. The IC must also submit to the General Assembly financial reports of expenditures.

The IC may terminate its office upon notice to the panel that all its work is completed and a final report is filed. The panel may terminate the office the earlier of two years after the IC was appointed or \$2 million has been spent, or at the end of each succeeding year.

House Bill 1118 also amends the Commonwealth Attorneys Act to coordinate its provisions with the new Chapter 95 Independent Counsel law.

**FISCAL IMPACT:**

Enactment of this legislation will have no immediate or direct fiscal impact on the Commonwealth. It will only have an impact if an IC is appointed in the future and the General Assembly appropriates funds for the operation of the IC.

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

**DATE:** June 30, 2015

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