



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1219

PRINTERS NO. 2845

PRIME SPONSOR: Ward

COST / (SAVINGS)

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

SUMMARY:

House Bill 1219 amends the Crimes Code concerning aggravated assault. It would take effect in 60 days.

ANALYSIS:

House Bill 1219 amends the Crimes Code concerning aggravated assault, specifically by adding health care practitioners, volunteer firefighters and special fire police, and employees of an agency, company, or other entity engaged in public transportation to the list of officers, agents, employees, and others who are covered by the section. Health care practitioner is defined by reference to its definition in the Health Care Facilities Act.

Under current law, when bodily injury is committed against any of these individuals, or they are put in imminent fear of serious bodily injury, the offense is graded as a misdemeanor of the second degree, with a maximum penalty of two years imprisonment and up to a \$5,000 fine. By placing these classes of individuals on the list of officers, agents, employees, and others covered under aggravated assault, the offense will be graded as a felony of the second degree, with a maximum penalty of 10 years imprisonment and up to a \$25,000 fine. The grading of aggravated assaults resulting in serious bodily injury against these individuals would also be increased from a felony of the second degree, to a felony of the first degree, with a maximum penalty of 20 years imprisonment and up to a \$25,000 fine.

FISCAL IMPACT:

Enactment of this legislation could have a fiscal impact on the Commonwealth by increasing prison sentences for those convicted of assaulting health care practitioners, volunteer firefighters and special fire police, and employees of an agency, company, or other entity engaged in public transportation. However, reliable data are not available at this time to estimate the extent of that impact.

According to the Pennsylvania Commission on Sentencing, in 2014 there were approximately 5,000 convictions for simple assault and nearly 800 for aggravated assault as a second degree felony in the state. However, reliable data do not exist to determine how many of these

convictions were for assaults on health care practitioners, volunteer firefighters and special fire police, or employees of an agency , company, or other entity engaged in public transportation as added by this bill, and could have faced a longer sentence had this legislation been enacted.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: February 10, 2016

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