



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 31

PRINTERS NO. 38

PRIME SPONSOR: D. Costa

### COST / (SAVINGS)

FUND	FY 2016/17	FY 2017/18
General Fund	See Fiscal Impact	See Fiscal Impact

**SUMMARY:** House Bill 31, Printer's Number 38, creates the Pennsylvania Officer Down Advisory to alert the general public and law enforcement agencies regarding suspects who kill or seriously injure law enforcement officers.

**ANALYSIS:** This bill creates a stand-alone act entitled the Pennsylvania Officer Down Advisory Act directing the Pennsylvania State Police (PSP) to establish and maintain the PA Officer Down Advisory. The advisory is designed to notify the general public and law enforcement authorities in the apprehension of those suspected of killing or seriously injuring law enforcement officers.

The PSP must establish protocols and procedures necessary for the operation of the advisory and shall educate and inform local law enforcement agencies and the public regarding its availability. The following criteria must be met to activate the advisory:

- a law enforcement officer must have been killed or seriously injured by a suspect;
- the investigating law enforcement agency must determine the suspect poses a serious threat to the public or other law enforcement personnel;
- a detailed description of the make and model of the suspect's car or a complete or partial registration plate number of the suspect's car must be available; and
- the investigating law enforcement agency must recommend activation of the advisory.

The transmission, broadcast or other communication of a public alert other than through the Pennsylvania Officer Down Advisory is prohibited and shall be subject to a civil penalty of not more than \$5,000.

Unless a court finds that undue hardship would result, a cost of \$25 shall be assessed against each person convicted, adjudicated delinquent or granted accelerated rehabilitative disposition (ARD). The cost shall be forwarded to the Commonwealth and used by the PSP to establish and maintain the Pennsylvania Officer Down Advisory and shall apply to the five different offenses listed under Title 18.

This legislation would take in 30 days upon enactment.

**FISCAL IMPACT:** Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds. The PSP expects to cover the additional administrative and information technology (IT) costs related to establishing the advisory through its existing agency operations. Per the legislation, the PSP may also receive additional revenues from the \$25 court fee assessed upon five different offenses listed under Title 18 to augment the development and operation of the advisory.

The agency notes there is a potential for additional costs related to educating and informing both the general public and local law enforcement agencies. It is anticipated much of this would be addressed through media releases to the public and in-service or web based training for local agencies. However, fiscal costs could increase depending on the duration and kinds of other methods employed such as public webpage postings, mailings, pamphlets and other forms of communication.

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House Appropriations Committee (R)

**DATE:** February 7, 2017

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