



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 217

PRINTERS NO. 1502

PRIME SPONSOR: Kauffman

COST / (SAVINGS)

FUND	FY 2016/17	FY 2017/18
General Fund	\$0	\$0

SUMMARY: House Bill 217 amends the Crimes Code concerning endangering the welfare of children. It would take effect in 60 days.

ANALYSIS: Under current law, endangering the welfare of a child is considered a misdemeanor of the first degree, punishable by up to five years in prison, unless there is a course of conduct of endangering the welfare of a child, in which case the offense is a felony of the third degree, punishable by up to seven years in prison.

House Bill 217 adds to these conditions other circumstances under which the grading of the offense increases. If, in the course of endangering the welfare of a child the actor creates a substantial risk of death or serious injury, the offense would constitute a felony of the third degree. If the actor's endangerment creates a substantial risk of death or serious bodily injury, and was part of a course of conduct, the offense becomes a felony of the second degree, punishable by up to 10 years in prison. The bill also adds that the offense increases by one grade if a child involved was under the age of six. The bill also requires the court to consider ordering an individual convicted of endangering the welfare of children to undergo counseling.

FISCAL IMPACT: Under current law the maximum prison term for endangering the welfare of a child ranges from five to seven years. The fiscal impact of HB 217 would be felt five to seven years after enactment when those who would have maxed out their sentences at five or seven years remain in state prison. At this time it is not possible to determine what proportion of convictions would be impacted and what the costs would be. According to data provided by the Pennsylvania Commission on Sentencing, under current law approximately 700 individuals per year are convicted of endangering the welfare of a child, 600 as a misdemeanor and 100 as a felony.

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House Appropriations Committee (R)

DATE: April 24, 2017

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