



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. HB 285

PRINTERS NO. 271

PRIME SPONSOR: Stephens

COST / (SAVINGS)

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

SUMMARY:

House Bill 285, Printer's Number 271 amends Title 42 (Judiciary and Judicial Procedure) by amending Section 9728(b)(5) regarding the collection of restitution, reparation, fees, costs, fines and penalties.

ANALYSIS:

HB 285 amends Section 9728(b) (5) of the Judicial Code by changing the procedures for the collection of restitution, reparation, fees, costs, fines and penalties. The bill would require the Department of Corrections (DOC) or the correctional facility where the offender has been sentenced to deposit no less than 25% of the offender's wages and 50% of all other deposits made to the inmate's personal account to be deducted in order to satisfy any restitution, costs and fines. These deductions are in addition to, and separate from, any amount authorized in any order for support.

The bill further requires the DOC and county correctional facilities to develop guidelines for the implementation of these requirements.

This legislation will be effective in 60 days.

FISCAL IMPACT:

According to the DOC, enactment of this legislation could result in an unknown fiscal impact to Commonwealth funds.

A number of variables could affect the impact of this mandated collection. Separate from orders for support, the DOC currently deducts 20% from both an offender's wages and non-wage accounts. The DOC states that enactment of this legislation could result in less deposits being made into an inmate's account, which could result in less purchases in the commissary and impacting Correctional Industries. In addition, the DOC states that when an inmate has insufficient funds to purchase their own supplies, toiletries, etc.; the obligation/costs associated with providing these supplies to an inmate defaults to the Commonwealth.

Enactment of this legislation could also aid state and county courts in the collection of restitution, reparations, fees, costs, fines and penalties; however the exact amount of this revenue increase is indeterminable

PREPARED BY: Jenny P. Stratton
House Appropriations Committee (R)

DATE: March 20, 2017

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