



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 348

PRINTERS NO. 2912

PRIME SPONSOR: DeLuca

COST / (SAVINGS)

FUND	FY 2017/18	FY 2018/19
General Fund	\$0	See "Fiscal Impact."

SUMMARY:

House Bill 348 amends the Judicial Code concerning sentences for offenses committed with firearms. It would take effect in 60 days.

ANALYSIS:

This legislation requires the court to impose the mandatory five-year minimum sentence associated with committing an offense with a firearm consecutive to any other sentence imposed by the court.

FISCAL IMPACT:

Enactment of this legislation under current law will have no adverse impact on Commonwealth funds. The procedure used to apply the mandatory minimum sentence it imposes consecutively has been declared unconstitutional by both the United States Supreme Court and the Pennsylvania Supreme Court, and the bill does nothing to correct this situation. Therefore, its enactment would have no practical effect. However, should House Bill 348 become law and if the Constitutional deficiency is subsequently corrected, the Department of Corrections (DOC) estimates it could cost an additional \$9 million to \$19 million maximum per year to keep prisoners who are being held for a consecutive five-year minimum, rather than serving it concurrently with another sentence. These costs would be incurred several years after the consecutive provision becomes effective, as it adds an additional five-year mandatory sentence to the end of any other sentence being served.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: February 6, 2018

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