



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 631

PRINTERS NO. 2992

PRIME SPONSOR: Marsico

COST / (SAVINGS)

FUND	FY 2017/18	FY 2018/19
General Fund	\$0	\$0

SUMMARY:

House Bill 631 amends the Judicial Code concerning a mandatory period of probation for certain sexual offenders, which would take effect in 60 days. It also amends the Crimes Code, Domestic Relations Code, and the Judicial Code concerning the registration of sexual offenders. These changes would take effect immediately.

ANALYSIS:

This legislation provides that a person who is convicted in a court of this Commonwealth of a Tier 3 sexual offense must be sentenced to a mandatory period of probation of three years consecutive to and in addition to any other lawful sentence issued by the court.

House Bill 631 also amends various Chapters and Sections of Title 18 (Crimes Code), Title 23 (Domestic Relations Code) and Title 42 (Judicial Code) to address the various provisions of law relating to the registration of sex offenders. In addition, the legislation adds a new Subchapter I (Continued registration of sexual offenders) to Title 42.

FISCAL IMPACT:

Enactment of the mandatory three years of probation for Tier 3 sexual offenders will gradually have a fiscal impact on the Pennsylvania Board of Probation and Parole (PBPP). It will only apply to those convicted of Tier 3 sexual offenses committed after the effective date of the bill, and the mandatory probation will be added after completion of their maximum sentence of prison and/or parole. Tier 3 sexual offenses are the most serious and receive the longest sentences. Therefore, the impact of these provisions will not occur immediately, potentially not for 5 to 10 years.

The PBPP estimates that approximately 530 Tier 3 sex offenders reach their maximum sentences each year. Once these offenders who were convicted after the effective date of this legislation reach their maximum sentences, it will cost the PBPP approximately \$1,855,000 for the first year, \$3,710,000 the second year, and \$5,565,000 for each year thereafter. The Board believes costs could be mitigated to the extent that these sex offenders recidivate.

Changes related to the registration of sexual offenders will have no adverse fiscal impact on Commonwealth funds. The changes to the various consolidated statutes in the legislation address recent Pennsylvania Supreme Court and Superior Court rulings regarding the registration of sexual offenders. Provisions within HB 631 continue current sex offender reporting requirements.

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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.