



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 449

PRINTERS NO. 1424

PRIME SPONSOR: Bartolotta

COST / (SAVINGS)

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

SUMMARY:

Senate Bill 449, Printer's Number 1424 amends Title 18 (Crimes and Offenses), Section 2711 (Probable cause arrests in domestic violence cases).

ANALYSIS:

Under current law, in cases of probable cause arrests relating to domestic violence, a police officer has the right to arrest without warrant whenever there is probable cause of a violation of certain offenses. SB 449 amends the Crimes Code by adding a violation of Section 2718 (relating to strangulation) to the list of violations. In addition, SB 449 provides that the issuing authority may use a pretrial risk assessment tool when determining bail in a domestic violence case. The legislation further provides that the president judge of the Court of Common Pleas may adopt a pretrial risk assessment tool for use by the Court of Common Pleas to aid in the determination of whether the defendant poses a threat of danger to the victim. SB 449 requires the Pennsylvania Commission on Sentencing (commission) to develop a model pretrial assessment tool which may be used by issuing agencies that is free from racial or economic bias. Prior to the adoption of the tool, the commission will publish a report of validating information from cases from the judicial district where the tool is to be used. The report will be updated every two years.

The provisions of the legislation requiring the commission to validate a pretrial risk assessment tool will be effective in two years. The remainder of the bill will be effective in 60 days.

FISCAL IMPACT:

Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds. Any costs associated with the development and validation of a pretrial assessment tool by the Pennsylvania Commission on Sentencing would be absorbed within the commission's current funding levels.

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House Appropriations Committee (R)

DATE: March 9, 2018

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