



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 137

PRINTERS NO. 2759

PRIME SPONSOR: Quinn

COST / (SAVINGS)

FUND	FY 2019/20	FY 2020/21
General Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY:

House Bill 137, Printer's Number 2759, amends The Controlled Substance, Drug, Device and Cosmetic Act of 1972 (P.L. 233, No. 64) to provide for immunity to persons who experience a drug overdose event when certain criteria are met. This legislation would take effect in 60 days.

ANALYSIS:

HB 137 amends Section 13.7 of The Controlled Substance, Drug, Device and Cosmetic Act to provide that persons experiencing drug overdose events may not be charged and shall be immune from prosecution if they obtain a screening and, if treatment is recommended, receive a referral for treatment within 30 days of receiving a written notice of this requirement from the arresting officer, attorney for the Commonwealth, issuing authority or trial court.

The bill provides that the person can be excused from the screening requirement and still obtain immunity under the same conditions as in current law if the individual can demonstrate a reasonable inability to pay for or otherwise obtain the screening and referral.

HB 137 also carries existing immunity provisions pertaining to individuals who transported or reported and remained with the person experiencing the drug overdose.

FISCAL IMPACT:

Enactment of this legislation will have an unknown fiscal impact on Commonwealth funds. It is impossible to determine exactly how many individuals would receive immunity under the provisions of this bill that would have previously been charged, convicted and sentenced under a violation of the Controlled Substance, Drug, Device and Cosmetic Act.

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

DATE: December 13, 2019

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