



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 161

PRINTERS NO. 3195

PRIME SPONSOR: Jozwiak

### COST / (SAVINGS)

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

#### SUMMARY:

House Bill 161, Printer's Number 3195 amends Title 18 (Crimes and Offenses), Section 4305 (Dealing in infant children) by increasing the grading of the offense.

#### ANALYSIS:

HB 161 amends the Crimes Code, Section 4305 by increasing the grading of the offense from a misdemeanor of the first degree to a felony of the first degree. In addition, the legislation clarifies that the term "infant" means a child one year of age or younger and clarifies that provisions set forth in Section 4305 do not apply to legal surrogacy or adoption.

This legislation will take effect in 60 days.

#### FISCAL IMPACT:

Enactment of this legislation will have an unknown fiscal impact on Commonwealth funds.

According to the Pennsylvania Commission on Sentencing, there were no charges, convictions or sentencing of violations of Title 18, Section 4305 in 2018. Current conviction of this offense would result in a sentence of a misdemeanor of the first degree resulting in a sentence of up to five years imprisonment and up to \$10,000 in fines. Increasing the grading of the offense to a felony of the first degree will result in a sentence of up to 20 years of imprisonment and up to a \$20,000 fine.

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

**DATE:** January 22, 2020

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