



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 365

PRINTERS NO. 2490

PRIME SPONSOR: White

COST / (SAVINGS)

FUND	FY 2019/20	FY 2020/21
General Fund	\$0	\$0

SUMMARY:

House Bill 365, Printer's Number 2490 amends Title 18 (Crimes and Offenses), Chapter 35 (Burglary and Other Criminal Intrusion) by adding a new Section 3503.1 (Removal of persons from residential property).

ANALYSIS:

HB 365 amends the Crimes Code by adding a new Section 3503.1 providing that a law enforcement officer, with probable cause based on information provided in an affidavit and after having obtained a search warrant, shall have the authority to remove a person from a residential property without making an arrest who is believed to have no lawful right of occupancy or is trespassing pursuant to Section 3503. A law enforcement officer removing a person under this section shall provide the person with a reasonable opportunity to secure and present credible evidence showing that the person is an owner or tenant or a guest or invitee of an owner or tenant. Also, nothing in this section shall be construed to abrogate or otherwise limit the authority or jurisdiction of law enforcement otherwise provided by law.

This legislation would take effect in 60 days after enactment.

FISCAL IMPACT:

Enactment of this legislation would have no fiscal impact on Commonwealth funds.

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

DATE: September 18, 2019

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