



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 975

PRINTERS NO. 1418

PRIME SPONSOR: Lewis DelRosso

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	\$0	See Fiscal Impact

SUMMARY:

House Bill 975 amends the Crimes Code (Title 18) concerning institutional sexual assault. It would take effect in 60 days.

ANALYSIS:

House Bill 975 adds caretakers to the list of individuals who can commit institutional sexual assault. A caretaker commits a felony of the third degree if the caretaker engages in sexual intercourse, deviate sexual intercourse or indecent contact with a care-dependent person who receives care, services, or treatment in or from a facility. A felony of the third degree is punishable by a fine of up to \$15,000 and up to 7 years in prison. A caretaker can be an owner, operator, manager or employee of a facility, or an individual who does not reside with a care-dependent person but who, with respect to the care-dependent person, has a legal duty to provide care, has affirmatively assumed a responsibility to provide care, or who has a responsibility by contract or court order to provide care. A care-dependent person is defined as an adult who, due to physical or cognitive disability or impairment, requires assistance to meet the needs for food, shelter, clothing, personal care, or health care.

This offense does not apply if the victim and defendant are spouses, persons living as spouses, or current sexual or intimate partners whose relationship preexisted the caretaker relationship.

FISCAL IMPACT:

According to the Pennsylvania Commission on Sentencing, in 2019 there were 15 convictions for institutional sexual assault under current law. It is not known how many additional people may be convicted of institutional sexual assault based on the changes made by this bill.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: June 16, 2021

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