



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 716

PRINTER'S NO. 1824

PRIME SPONSOR: Kazeem

### COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	See Fiscal Impact	See Fiscal Impact
County and Local Government	See Fiscal Impact	See Fiscal Impact

### SUMMARY:

Amends Title 75 to allow a court to impose a reasonable period of community service in lieu of payment for individuals without the financial means to pay any fines and costs.

### ANALYSIS:

House Bill 716 amends Section 6504 of Title 75 to give the courts the option of ordering a reasonable period of community service to individuals who are without the financial means to pay a fine and costs imposed under Title 75. The court ordered community service may be imposed in lieu of payment of the originally imposed fines and costs.

The legislation also reduces the number of days for which a person may be imprisoned for unpaid fines from one day for every \$40 to one day for every \$120.

This legislation would take effect in 60 days upon enactment.

### FISCAL IMPACT:

Enactment of this legislation will have an indeterminate impact on Commonwealth and local government funds. Although it is possible that this legislation could result in the loss of revenue for state and local governments, it is unlikely that the loss would be substantial. The option for the courts to offer community service in lieu of payment is only available to individuals who are without the financial means to pay. Further, the courts are provided with the option to make this offer, it is not mandatory.

For reference, according to the Magisterial District Justice System, in FY 2019/20, there were 836,140 Title 75 assessments for a total of \$60.6 million. Of this amount, only \$49.7 million was collected, 82%. \$37.2 million was distributed to the state, \$12.4 million was distributed to county governments, and approximately \$57,000 was distributed to municipal governments.<sup>1</sup>

It is possible that the legislation could result in savings to county governments through avoided jail time. Marginal costs are not available for county facilities, but the average daily cost to incarcerate someone in a county jail in 2022 was \$119.76.

**PREPARED BY:** Bradley Keen

House Appropriations Committee (D)

**DATE:** July 6, 2023

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

<sup>1</sup> Philadelphia County does not utilize the Magisterial District Justice System (MDJS) and therefore no Philadelphia County data is included.