



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1027

PRINTER'S NO. 2225

PRIME SPONSOR: Frankel

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY:

Expands protections for hate-based intimidation and expands the civil rights statute regarding hate-based intimidation.

ANALYSIS:

House Bill 1024 Printer's Number 2225 amends Title 18 Section 2710 by changing the term "Ethnic intimidation" to "Hate-Based intimidation" and expanding the provided protections to include ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation, disability, age, and autism spectrum disorder.

The legislation also expands the types of offenses which can be categorized as "hate-based intimidation" to include personal injury crimes which result in bodily injury.

The bill revises Title 42 Section 8309 to provide civil redress when a person is injured or suffers damage or loss to their property because of conduct described in Title 18 Section 2710 (hate-based intimidation) or in Section 3307 (relating to institutional vandalism). It also expands the persons against whom civil or equitable relief may be obtained to include not only the actor but also a person who solicited the actor to engage in the conduct and a person who knowingly attempted to provide or provided aid to the actor with the intent that the actor engage in the conduct.

This legislation would take effect in 60 days upon enactment.

FISCAL IMPACT:

Data are not available to reliably estimate how many individuals may be convicted and sentenced for the expanded offense. Therefore, its potential fiscal impact on the Commonwealth is indeterminate.

It should be noted that the marginal annual cost to incarcerate an additional inmate in a state correctional institution was \$15,213 in FY 2021/22. This cost assumes that fewer than 300 additional individuals were incarcerated. Offenders with a maximum sentence of less than two years are typically sent to a county jail. Marginal costs are not available for county facilities, but the average annual cost to incarcerate someone in a county jail in 2022 was \$43,701.

Any revenue generated by fines in this section would be distributed to counties depending on the location of the penalty pursuant to 42 Pa.C.S. § 3572.

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House Appropriations Committee (D)

DATE: October 30, 2023

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