



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

SENATE BILL NO. 1

PRINTER'S NO. 385

PRIME SPONSOR: Laughlin

FUND	FY 2022/23	FY 2023/24
General Fund	\$0	\$1,000,000 - \$1,500,000 See Fiscal Impact

### SUMMARY:

Senate Bill 1, Printer's Number 385 is a joint resolution proposing to amend the Pennsylvania Constitution. The proposed amendment would provide a two-year window for individuals to file civil actions arising from childhood sexual abuse.

### ANALYSIS:

The bill proposes to amend Article 1, Section 11 of the Pennsylvania Constitution to add a new subsection (b). The new subsection provides that an individual for whom a statutory limitations period has already expired, or whose claim would otherwise be barred or limited by a statutory cap on damages, sovereign immunity or by governmental or official immunity, shall have a two-year period from the time the subsection becomes effective, without bar or limitation by such caps or immunities, to commence an action arising from childhood sexual abuse.

This proposed constitutional amendment was previously passed by the General Assembly as J.R. 2021-2 (Pamphlet Laws Resolution No. 2 of 2021) on April 20, 2021, and is on second passage by the General Assembly, as required by the amendment procedures in Article XI of the Pennsylvania Constitution.

Upon second passage by the General Assembly, Section 2(b) of the bill requires the Secretary of the Commonwealth to immediately comply with the proposed constitutional amendment advertising requirements of Section 1 of Article XI of the Constitution and publish the advertisement in two newspapers in each county. The Secretary shall submit the proposed amendment to the electors of the commonwealth at the first primary, general or municipal election which occurs at least three months after the proposed amendment is passed by the General Assembly.

### FISCAL IMPACT:

Article XI of the Pennsylvania Constitution will require the Secretary of the Commonwealth to advertise the proposed amendment in two newspapers in every county of the commonwealth.

According to the Department of State, the approximate cost to comply with the advertising requirement is estimated to be between \$1 million to \$1.5 million. These costs will be paid through the General Fund and are expected to be incurred within the 2023/24 fiscal year.

If the electorate chooses to approve the proposed constitutional amendment, the commonwealth or local units of government could face additional costs from expanded liability under civil lawsuits for childhood sexual abuse that are currently barred due to governmental and sovereign immunity. The size of this potential impact is impossible to reliably estimate at this time. Costs would depend on the number of lawsuits and the size of any awards or settlements.

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House Appropriations Committee (D)

**DATE:** May 22, 2023

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