

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 75

PRINTER'S NO. 3770

AMOUNT

Minimal Fiscal Impact

FUND

General Fund

DATE INTRODUCED

January 19, 2011

PRIME SPONSOR

Representative Marsico

HISTORY OF BILL

Referred to JUDICIARY, Jan. 19, 2011

Reported as committed, Jan. 25, 2011

First consideration, Jan. 25, 2011

Laid on the table, Jan. 25, 2011

Removed from table, Feb. 7, 2011

Second consideration, Feb. 8, 2011

Re-committed to APPROPRIATIONS, Feb. 8, 2011

Re-reported as committed, Feb. 8, 2011

Third consideration and final passage, Feb. 9, 2011 (197-1)

(Remarks see House Journal Page 186-188), Feb. 9, 2011

In the Senate

Referred to JUDICIARY, Feb. 14, 2011

Reported as amended, June 5, 2012

First consideration, June 5, 2012

Second consideration, June 12, 2012

Re-referred to APPROPRIATIONS, June 12, 2012

Re-reported as amended, June 18, 2012

DESCRIPTION AND PURPOSE OF BILL

Makes several revisions to Act 111 of 2011, which closed loopholes in Megan's Law and made Pennsylvania compliant with the federal Adam Walsh Child Protection and Safety Act, to clarify certain provisions prior to implementation.

Corrects drafting errors and adds language to ease the administration of the act. For example, language is added at the request of the Juvenile Court Judges' Commission to more effectively implement provisions regarding juvenile offenders and sexually violent delinquent children. Also, language is added making the act applicable to juvenile offenders who come to Pennsylvania from different jurisdictions. Consistent with Megan's Law, juvenile offenders coming to Pennsylvania from out-of-state who have to register in their home states will have to register with the State Police.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

Adds language requiring probationers and parolees who were registered under Megan's Law prior to the effective date of the act to register with the State Police.

Removes the requirement that a sex offender who was on the registry, and served the required term on the registry, to go back on the sex offender registry if they commit a subsequent offense graded as a felony (the felony does not have to be a sex offense). Alternatively, requires the offender to be placed on the registry if convicted of another sex offense.

Also addresses several State Police administrative issues.

Several provisions are effective on December 20, 2012 while the remainder of the act is effective immediately.

FISCAL IMPACT:

Enactment of this legislation may result in an indeterminate number of "transient" or homeless offenders and those required to register under "Megan's Law I," and have not registered, to be apprehended and sentenced to a two year mandatory minimum jail sentence. There is no data available to quantify the number of "transient" or homeless offenders that will actually fail to register, be apprehended, and subsequently sentenced by the courts. However, according to the Pennsylvania Department of Corrections (Department), they expect the number to be de minimus, therefore having a minimal fiscal impact on the Department.