

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1264

PRINTER'S NO. 3273

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

April 1, 2011

PRIME SPONSOR

Representative Parker

HISTORY OF BILL

Referred to JUDICIARY, April 1, 2011
Reported as committed, May 10, 2011
First consideration, May 10, 2011
Laid on the table, May 10, 2011
Removed from table, June 15, 2011
Second consideration, June 20, 2011
Re-committed to APPROPRIATIONS, June 20, 2011
Re-reported as committed, June 21, 2011
Third consideration and final passage, June 24, 2011 (197-0)
(Remarks see House Journal Page 1493), June 24, 2011
In the Senate
Referred to JUDICIARY, June 26, 2011
Reported as amended, March 27, 2012
First consideration, March 27, 2012
Re-referred to APPROPRIATIONS, May 2, 2012

DESCRIPTION AND PURPOSE OF BILL

House Bill 1264 amends Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, by adding a section to allow for the use of expert testimony in sexual assault cases.

Specifically, §5920 (Expert testimony in certain criminal proceedings) would apply to all criminal proceedings for which registration is required under Subchapter H of Chapter 97 (relating to registration of sexual offenders) and Chapter 31 (relating to sexual offenses) of Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes. This section would also apply to Statutory Sexual Assault in certain cases.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

The legislation clarifies that a witness qualified by the court to give expert testimony in a sexual assault case may be called by the attorney for the Commonwealth or the defendant.

Currently, Pennsylvania is the only state in the nation that does not allow expert testimony in sexual assault cases.

This act would take effect in 60 days.

FISCAL IMPACT:

The courts do not collect fees to "certify" a person as an expert witness in Pennsylvania and each witness' certification as such would be on a case-by-case basis. Therefore, the enactment of this legislation would have no fiscal impact on Commonwealth funds.