

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 430

PRINTER NO. 993

AMOUNT

Minimal Fiscal Impact

FUND

General Fund

DATE INTRODUCED

February 12, 2015

PRIME SPONSOR

Senator Hughes

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 430 amends Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in State Intermediate Punishment, expanding the program to include offenses committed because of a gambling addiction.

This legislation essentially expands access to the State Intermediate Punishment Program (SIP) to defendants convicted of crimes due to a gambling addiction. Current law only allows for defendants convicted of crimes due to a drug or alcohol addiction.

Specifically, this legislation amends Title 61 by doing the following:

- Renames the “Drug offender treatment program” to “Addicted offender treatment program”;
- Includes “gambling-related offense” in the definition of “Defendant” for purposes of (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act;
- Includes “gambling-related offense” in the definition of “Eligible offender” for purposes of sentencing;
- Defines “Gambling-related offense” as a criminal offense for which a defendant is convicted and that the court determines was motivated by the defendant’s addiction to gambling; and
- Changes provisions of law that specify “drug or alcohol addiction” to include a gambling addiction.

This act shall take effect six months.

FISCAL IMPACT:

According to the Pennsylvania Department of Corrections (Department), they may incur some costs related to procurement of a treatment program and training of staff, but these costs are expected to be de minimis and capable of being absorbed within the Department’s existing fiscal resources.

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The SIP program is a less costly alternative of incarceration within the State Correctional Institutions; therefore, any costs related to the expansion of the SIP program may be offset by savings incurred by offenders being incarcerated for a shorter period of time.

Additionally, statistics have shown that defendants convicted, sentenced and accepted for treatment within the SIP program have a lower rate of recidivism when compared to defendants receiving a traditional sentencing of incarceration in a State Correctional Institution. This may result in additional cost savings to the Department in the future.

Therefore, enactment of this legislation will not result in an adverse effect on Commonwealth funds.