

**SENATE APPROPRIATIONS COMMITTEE  
FISCAL NOTE**

**BILL NO.** House Bill 217

**PRINTER NO.** 1502

**AMOUNT**

See Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

January 25, 2017

**PRIME SPONSOR**

Representative Kauffman

**DESCRIPTION AND PURPOSE OF BILL**

House Bill 217 amends the Crimes Code regarding grading for endangering the welfare of children.

Under current law, the penalty for endangering the welfare of a child is a misdemeanor of the first degree. However, where there is a course of conduct of endangering the welfare of a child, the offense constitutes a felony of the third degree.

HB 217 adds to the above an enhancement for the same crime, if there was also a risk of substantial bodily injury as follows:

- If the actor created a substantial risk of death or serious bodily injury, but as not engaged in a course of conduct, a felony of the third degree.
- If the action created a substantial risk of death or serious bodily injury AND was part of a course of conduct, felony of the second degree.
- The grading of any of the above shall increase one grade if, at the time of the offense, the child was under 6 years of age.

This act shall take effect in 60 days.

**FISCAL IMPACT:**

Under current law the maximum prison term for endangering the welfare of a child ranges from five to seven years. The fiscal impact of the increased length of sentences included in HB 217 would be felt five to seven years after enactment when those who would have maxed out their sentences at five or seven years remain in state prison. According to data provided by the Pennsylvania Commission on Sentencing, under current law approximately 700 individuals per year are convicted of endangering the welfare of a child, 600 as a misdemeanor and 100 as a felony.

Based upon an assumption that 30% of the third degree felony convictions (5 year sentence in prison) becoming a second degree felony (10 year sentence in prison), the full cost of the enactment of this legislation is estimated to be \$1.089 million (in year 10).

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Impacted Year	Estimate # new convictions of Felony of 2nd Degree	Cost per inmate per day	Estimated Annual Costs
Year 5	30	\$ 16.58	\$ 181,551
Year 6	60	\$ 16.58	\$ 363,102
Year 7	90	\$ 16.58	\$ 544,653
Year 8	120	\$ 16.58	\$ 726,204
Year 9	150	\$ 16.58	\$ 907,755
Year 10 and on	180	\$ 16.58	\$ 1,089,306