

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 285

PRINTER NO. 2197

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

February 1, 2017

PRIME SPONSOR

Representative Stephens

DESCRIPTION AND PURPOSE OF BILL

House Bill 285 amends Title 42 (Judicial Code) to further provide for the collection of restitution, fees, costs and fines by a correctional facility.

The legislation amends Section 9728 of the Judicial Code to require that correctional facilities make minimum deductions from the wages and personal accounts of inmates who have outstanding restitution or other court-ordered obligations.

Specifically, 25% of deposits made to inmate personal accounts shall be deducted for the fulfillment of restitution, costs, fines and other court-ordered obligations. These deductions are in addition to, and separate from, any amount authorized to be collected pursuant to any order for support.

House Bill 285 further requires that county correctional facilities, in consultation with the Department of Corrections ("department"), develop guidelines for the implementation of these requirements, and that they incorporate the guidelines into all contracts with private correctional facilities.

The act shall take effect in 60 days.

FISCAL IMPACT:

Enactment of this legislation could result in nominally increased fiscal impact to Commonwealth funds.

A number of variables could affect the impact of this mandated collection. Separate from orders for support, the department currently deducts 20% from both an inmate's wages and non-wage accounts. The department states that enactment of this legislation could result in less deposits being made into inmate accounts, potentially resulting in fewer purchases in the commissary, which could impact Correctional Industries.

In addition, the department indicated that when an inmate has insufficient funds to purchase their own supplies, toiletries, etc., the obligation/costs associated with providing these supplies to an inmate defaults to the Commonwealth. If this occurs, the Department of Corrections will be able to absorb the increased costs within the funds appropriated to it.

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Enactment of this legislation could also aid state and county courts in the collection of restitution, reparations, fees, costs, fines and penalties; however the exact amount of this revenue increase is indeterminable.