

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 1011

PRINTER NO. 1402

AMOUNT

\$1,000,000 to \$1,500,000 in FY 2018-19

FUND

General Fund

DATE INTRODUCED

January 2, 2018

PRIME SPONSOR

Senator Reschenthaler

DESCRIPTION

Senate Bill 1011 amends Article I (Declaration of Rights) of the Constitution of the Commonwealth of Pennsylvania by establishing a new § 9.1 (Rights of victims of crime) to grant inherent rights to victims of crime.

This legislation requires that, for the criminal and juvenile justice systems, the enumerated rights of victims are to be protected no less vigorously than the rights afforded the accused. It stipulates that there be notice of hearings and other proceedings, reasonable protection from the accused, notice of release or escape of an accused, full and timely restitution, proceedings free from delays and with prompt conclusion, the ability to confer with the government's attorney and information on all of these rights.

The term "victim" includes any person against whom the criminal offense or delinquent act is committed or who is directly harmed by the commission of the offense or act. The term "victim" does not include the accused or a person whom the court finds would not act in the best interests of a deceased, incompetent, minor or incapacitated victim.

To date, six states have passed similar constitutional amendments. They are California, Illinois, North Dakota, South Dakota, Montana and, most recently, Ohio.

FISCAL IMPACT:

Article XI (Amendments), §1 requires that legislation proposing to amend the Constitution be passed by the General Assembly in two consecutive legislative sessions, be advertised in two newspapers in each county after each passage and thereafter be approved by the electorate.

The Department of State estimates the cost for each required advertisement of a Constitutional amendment to be approximately \$1,000,000 to \$1,500,000. Costs for advertising the amendment in two consecutive legislative sessions would amount to approximately \$2,000,000 to \$3,000,000.