

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 1070

PRINTER NO. 1554

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 12, 2018

PRIME SPONSOR

Senator Greenleaf

DESCRIPTION

Senate Bill 1070 amends the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, providing for a County Adult Probation and Parole Advisory Committee, for justice reinvestment grants-Phase 2 and for continuing county probation and parole grants; making an appropriation; and making a related repeal.

This legislation does the following:

- Establishes a County Adult Probation and Parole Advisory Committee consisting of the following members:
 1. The Chairperson of the Board of Probation and Parole or a designee, who shall serve as an ex officio and nonvoting member;
 2. The Chairperson of the Juvenile Court Judges Commission or a designee, who shall serve as an ex officio and nonvoting member;
 3. The Executive Director of the Pennsylvania Commission on Sentencing, or a designee, who shall serve as an ex officio and nonvoting member;
 4. The Executive Director of the County Commissioners Association of Pennsylvania or a designee;
 5. The President of the County Chief Adult Probation and Parole Officers Association of Pennsylvania or a designee;
 6. The Victim Advocate;
 7. The Court Administrator of Pennsylvania or a designee;
 8. A district attorney and a chief defender appointed by the Chief Justice of Pennsylvania;
 9. A county chief probation and parole officer appointed by the Chief Justice of Pennsylvania;
 10. A county commissioner or a home rule equivalent appointed by the Governor; and
 11. Seven judges of the courts of common pleas who serve in the criminal court area and are representative of the geographic and demographic diversity of this Commonwealth, appointed by the Chief Justice of Pennsylvania.

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- Provides for certain powers and duties of the advisory committee including reviewing and awarding grant applications for county intermediate punishment programs as part of the Justice Reinvestment Initiative – Phase 2;
- Develops a funding plan for county adult probation and parole departments that includes county intermediate punishment programs, discretionary grants and a funding formula;
- Requires the following deposits into the Justice Reinvestment Fund (Fund) from savings to the Department of Corrections:
 1. In fiscal year 2018-19, an amount of \$3,700,000;
 2. In fiscal year 2019-20, an amount not to exceed the greater of \$3,700,000 or 100% of the amount determined to be savings in the prior fiscal year;
 3. In fiscal year 2020-21, an amount not to exceed the greater of \$10,250,000 or 50% of the amount determined to be savings in the prior fiscal year; and
 4. In fiscal years 2021-22 and 2022-23, an amount in each year not to exceed the greater of \$20,250,000 or 50% of the amount determined to be savings in the prior fiscal year.
- Requires the following distributions from the fund:
 1. For fiscal years 2018-19, 2019-20, 2020-21, 2021-22 and 2022-23, the sum of \$250,000 shall be distributed to the commission for the purpose of crime victim compensation, and the sum of \$500,000 shall be distributed to the Pennsylvania Commission on Sentencing to implement risk assessment and justice reinvestment sentencing features; and
 2. The remaining deposits shall be distributed to the Pennsylvania Commission on Crime and Delinquency (PCCD) for formula funding to county probation and parole departments, as advised by the County Adult Probation and Parole Advisory Committee.
- The above-mentioned grants are to be annual grants and shall be used to supplement and not supplant existing funding, including funding provided by county governments;
- The above-mentioned Justice Reinvestment Initiative – Phase 2 deposits and grant distributions shall expire July 15, 2023;
- Establishes continuing county probation and parole grants for costs incurred by counties; and

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- Makes the following appropriations from the General Fund:
 1. For fiscal years 2017-18, 2018-19, 2019-20, 2020-21, 2021-22 and 2022-23, the sum of \$16,222,000 shall be appropriated to PCCD for the purpose of formula funding to county probation and parole departments, as advised by the County Adult Probation and Parole Advisory Committee;
 2. For fiscal year 2023-24, the sum of \$35,722,000 shall be appropriated to PCCD for the purpose of formula funding to county probation and parole departments, as advised by the County Adult Probation and Parole Advisory Committee;
 3. Beginning in fiscal year 2024-25 and annually thereafter, the Commonwealth shall adjust the appropriation to reflect the annual percentage change in the Consumer Price Index (CPI) for All Urban Consumers, published by the United States Department of Commerce, Bureau of Labor Statistics, occurring in the one-year period ending on January 1 immediately preceding July 1; and
 4. If insufficient funds are appropriated, each county shall receive a prorated reduction in funding.

This act shall take effect in 60 days.

FISCAL IMPACT:

This legislation revises the Justice Reinvestment funding to account for savings expected from other legislation introduced during this session. It seeks to distribute funding for increased victim compensation (\$250,000 annually), to provide funding (\$500,000 annually) to the Sentencing Commission for risk assessment and JRI sentencing features, and to provide resources to meaningfully improve county adult probation and parole.

Additionally, the legislation makes appropriations to PCCD for the purpose of formula funding to county probation and parole departments. Currently, county adult probation services receives \$16,222,000 from the General Fund through an appropriations to the Board of Probation and Parole. This legislation increases that amount to \$35,722,000 in FY 2023-24, although it is expected that there will be an estimated \$19.5 million in savings from other provisions of this legislation.

The grant funding required by this legislation is dependent upon deposits from savings to the Department of Corrections. Therefore, there would be no adverse fiscal impact to the Commonwealth unless actual savings are less than the dollar thresholds established in the legislation.