

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 1209

**PRINTER NO.** 1886

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

June 15, 2018

**PRIME SPONSOR**

Senator Langerholc

**DESCRIPTION**

Senate Bill 1209 amends the Sexual Assault Testing and Evidence Collection Act to streamline the process of collecting sexual assault evidence and require biannual reports by the Pennsylvania State Police on data related to submitted sexual assault evidence.

This legislation does the following:

- Requires the Pennsylvania Department of Health (department), under the Statewide sexual assault evidence collection program, to establish a designated telephone number for the use of health care facilities who have notified local law enforcement to take possession of sexual assault evidence that has not been completed within 72 hours;
- Requires that the existing duty of health care facilities to notify a local law enforcement agency that sexual assault evidence has been collected, shall be made within 12 hours of collection of the evidence. If local law enforcement has not taken possession of the sexual assault evidence within 72 hours of notification, the health care facility shall notify the department through the designated telephone number;
- Requires the district attorney, in consultation with the local law enforcement agency, to ensure that submission of the evidence for testing or analysis occurs within 15 days of receiving notice of the victim's consent to testing; and
- Requires the Pennsylvania State Police, in consultation with the Pennsylvania Coalition Against Rape (PCAR) and, as necessary, local law enforcement, to compile the following data and submit a report to the department by December 31, 2018, and biannually thereafter:
  - 1) The volume of sexual assault evidence submitted for testing;
  - 2) The volume of sexual assault evidence awaiting testing;
  - 3) The rate of submission of sexual assault evidence by law enforcement agencies in compliance with the provisions of the act;
  - 4) The speed of testing of sexual assault evidence, average wait time to complete testing and reasons for any delays in submission or testing of sexual assault evidence; and
  - 5) A review of current practices, including inter-agency collaboration with law enforcement agencies and rape crisis centers, in rape kit evidence collection.

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## FISCAL NOTE

The establishment of a designated telephone number by the department shall take effect immediately. The remainder of the act shall take effect in 60 days.

### **FISCAL IMPACT:**

According to the Pennsylvania State Police, enactment of this legislation would require the hiring of at least one full time employee to assist with determining the rate of compliance with submissions. Assuming a half year funding in FY 2018-19, salary and benefit costs for one full time civilian employee are estimated to be \$43,239. These costs are minimal and capable of being accommodated within the agency's current workload and budget.

Therefore, enactment of this legislation will have no adverse fiscal impact on Commonwealth funds.