

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 969

PRINTER NO. 1463

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

January 24, 2020

PRIME SPONSOR

Senator Browne

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 969 amends the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, making technical changes related to the consolidation of various functions of the Department of Corrections (department) and the Pennsylvania Board of Probation and Parole (board).

This legislation provides for the following:

- Changes the name of "The Pennsylvania Board of Probation and Parole" to "The Pennsylvania Parole Board" (board);
- Transfers the victim advocate in the Office of Victim Advocate from the board to the department;
- Requires the board to develop a standard form to be used by local correctional facilities regarding victim notification;
- In circumstances when the Office of Victim Advocate (office) has received notice of a victim's desire to provide input, the appropriate agency must notify the victim sufficiently in advance of a pending release decision to extend an opportunity for prior comment;
- Requires that any records maintained by the department, local correctional facility, the board and the office pertaining to victims shall be kept separate;
- Clarifies that the office is established within the department;
- Clarifies that the office shall function independently of the department regarding all of the office's decision-making functions, as well as any other powers and duties specified in law;
- The office shall operate from office space provided by the department;
- Legal counsel for the office shall be appointed pursuant to the Commonwealth Attorneys Act;
- Requires confidentiality such that each report, record or other information in the possession or maintained by the office, including the home addresses of employees of the office shall:
 - 1) be confidential and privileged;
 - 2) not be subject to subpoena or discovery;
 - 3) not be subject to the provisions of the Right-To-Know Law;
 - 4) be used for no purpose other than to advocate for the interests of crime victims; and

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- 5) not be introduced into evidence in judicial or administrative proceedings.
- The State Offender Supervision Fund is to be administered by the department and comprised of supervision fees collected by the department; and
 - Maintains that the board or the department impose as a condition of supervision a monthly supervision fee of at least \$25 on any offender under the department's supervision.

This act shall take effect immediately.

FISCAL IMPACT:

Many of the requirements of SB 969 have already been implemented as a result of a Memorandum of Understanding between the department and the board. Therefore, enactment of this legislation will have no fiscal impact on Commonwealth funds.