

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 184

PRINTER NO. 1884

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

January 21, 2021

PRIME SPONSOR

Representative Keefer

DESCRIPTION

House Bill 184 amends Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes requiring the Pennsylvania Commission on Sentencing to provide for a sentence enhancement for a conviction of causing or aiding suicide.

Specifically, this legislation amends § 2505 (relating to causing or aiding suicide) of Title 18 to require the Pennsylvania Commission on Sentencing to provide for a sentence enhancement within its guidelines for a conviction of causing or aiding suicide when the individual who dies by suicide is under 18 years of age or has an intellectual disability or autism spectrum disorder.

Autism spectrum disorder is defined pursuant to 42 Pa.C.S. § 5992 (relating to definitions) as, regardless of the age of the individual, any of the pervasive developmental disorders defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM), or its successor, including autistic disorder, Asperger's disorder and pervasive developmental disorder not otherwise specified.

An intellectual disability under this section is defined as an individual, regardless of age, significantly sub-average general intellectual functioning that is accompanied by significant limitations in adaptive functioning in at least two of the following skill areas:

- 1) Communication;
- 2) Self-care;
- 3) Home living;
- 4) Social and interpersonal skills;
- 5) Use of community resources;
- 6) Self-direction;
- 7) Functional academic skills;
- 8) Work;
- 9) Health; and
- 10) Safety.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

This act shall take effect in 60 days.

FISCAL IMPACT:

According to data from the Pennsylvania Commission on Sentencing, there have been an average of 12 convictions per year from 2016 through 2019 for 18 Pa.C.S. § 2505 (relating to causing or aiding suicide). The sentence enhancement would not apply in every case. Assuming that a sentence enhancement would apply in six cases, adding an additional one year of imprisonment in a state correctional institution with a marginal cost of \$18.34 per inmate/per day, the Commonwealth would incur additional annual costs of approximately \$40,165.

These costs are minimal and would be capable of being accommodated within the Department of Corrections' current workload and budget.