

FISCAL NOTE

March 13, 2017

Bill No:	HB 631	Printer's No:	668	Sponsor:	Marisco (R)
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COST / (SAVINGS)

Fund (s)	2016-17	2017-18
General Fund	\$0	\$1.855 million

SUMMARY: This bill would amend Title 42 (Judiciary and Judicial Procedure) imposing a mandatory three-year probation period for individuals convicted of a sexual offense.

ANALYSIS: House Bill 631 would impose a mandatory probation period of three consecutive years, in addition to any other lawful sentence issued by the court, for individuals convicted of an offense relating to sexual offenses as enumerated in the commonwealth's tier system. The court would be permitted to impose the term of probation, as defined under this act, in addition to the maximum sentence permitted for the offense for which the defendant was convicted. However, there would be no authority in any commonwealth court to impose a lesser probationary period on an offender than indicated under this act. Additionally, sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing would not supersede the mandatory period of probation outlined under this act.

Nothing under this act would limit the court's authority to direct supervision by Pennsylvania Board of Probation and Parole (PBPP) by special order as provided under Title 61 (Probation and Parole).

This act would be effective 60 days upon passage.

FISCAL IMPACT: PBPP would incur a cost of \$1.855 million in Fiscal Year (FY) 2017-18. Approximately 530 tier three level sex offenders reach their maximum date each year. Since, this act is non-retroactive it would not take effect until newly sentenced sex offenders reach their maximum sentence. Once these newly sex offenders reach their maximum sentence, there would be a cost of approximately \$1.855 million in the first year, \$3.710 million in the second year and \$5.565 million in the third year and out-years. Costs may decrease based on the assumed recidivism rate of sex offenders.

Implementation Efforts	FY 2017-18	FY 2018-19	FY 2019-20
Number of Tier Three Offenders	530	1,060	1590
Supervision Cost per Offender	\$3,500	\$3,500	\$3,500
Total	\$1,855,000	\$3,710,000	\$5,565,000