

FISCAL NOTE

April 25, 2017

Bill No:	HB 741	Printer's No:	1262	Sponsor:	Stephens (R)
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COST / (SAVINGS)

Fund (s)	2016-17	2017-18
General Fund	See "FISCAL IMPACT"	See "FISCAL IMPACT"

SUMMARY: This bill would amend Title 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) to reinstate mandatory minimums for certain crimes and offenses.

ANALYSIS: House Bill 741 would establish mandatory minimums for the following offenses:

- Drug trafficking to minors (minimum sentence of two years)
- Drug trafficking in a drug free school zone (minimum sentence of one year)
- Drug trafficking offenses (minimum sentence of one to eight years depending on the weight of the substance)
- Offenses committed with firearms (minimum sentence of five years)
- Drug offenses committed with firearms (minimum sentence of five years)
- Offenses committed on public transportation (minimum sentence of five years)
- Particular offenses against the elderly (minimum sentence of one to five years)
- Particular offenses against infants (minimum sentence of two to fifteen years)
- Failing to comply with registration of sexual offenders (minimum sentence of two to seven years depending on the offense)
- Impersonating a law enforcement officer (minimum sentence of three)

This act would be effective 60 days upon passage.

FISCAL IMPACT: The Department of Corrections (DOC) would incur a cost of up to \$19 million the first year, with a likely annual impact of \$47.3 million to \$83.1 million over a period of five years. According to the Pennsylvania Sentencing Commission, restoring mandatory minimums would result in increased prison admission and length of stay by approximately 1285 to 2258 inmates. The average cost per day to institutionalize an inmate is \$100.83, roughly \$36,802 per year. By multiplying the projected increased number of inmates, reinstating mandatory minimums would cost approximately \$47.3 million to \$83.1 million annually. This fiscal estimate only includes drug offenses and drug trafficking offenses occurring in school zones, as individuals convicted of the other offenses outlined in this act, already receive lengthy sentences equal to or greater than the proposed minimums established under this act.