

FISCAL NOTE

March 8, 2017

Bill No:	SB10	Printer's No:	PN0295	Sponsor:	Reschenthaler
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COST / (SAVINGS)

Fund (s)	2016-17	2017-18
General Fund	"See Fiscal Impact"	"See Fiscal Impact"

SUMMARY: SB 10 amends Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidates Statutes in matters affecting government units, further proving for exceptions to governmental immunity; and, in preemptions, providing for municipality of refuge.

ANALYSIS: As defined in the legislation, a "Municipality of refuge" is a municipality that permits the release of an individual in custody of the municipality's law enforcement agency, despite the existence of a United States Immigration and Customs Enforcement civil immigration detainer request for the individual.

This legislation will amend Title 42 to place liability on a municipality of refuge for damages or injury to a person or property if the damage or injury was the result of an individual that was in custody, pursuant to a lawful arrest, of the law enforcement agency of the municipality of refuge and was released, despite the existence of a United States Immigration and Customs Enforcement civil immigration detainer request for the individual in question.

This legislation will amend Title 53 to require municipalities to enforce Federal law, mandates, and orders relating to immigration. A law enforcement agency or municipality that fails to comply by refusing to enforce an immigration order will be ineligible to receive State grants and will be forbidden from participating in the sale of state surplus property.

This legislation shall take effect in 60 days.

FISCAL IMPACT: The fiscal impact of SB10 will be dependent on the number of municipalities that fail to comply with the provisions of the act. Non-compliant municipalities and/or law enforcement agencies would be deprived of receiving millions of dollars in commonwealth funds/grants.

According to the Center for Immigration Studies, Pennsylvania has sanctuary cities in the following counties:

Abington
Bradford County
Bucks County

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Butler County
Chester County
Clarion County
Delaware County
Erie County
Lebanon County
Lehigh County
Lycoming County
Montgomery County
Montour County
Perry County
Philadelphia
Philadelphia County
Pike County
Westmoreland County

For fiscal year 15-16, the Commonwealth funded approximately \$1.3 billion to identified sanctuary cities. This total included payments for mandated programs, such as County Child Welfare, Early Intervention, Outpatient Services, Community ID Services and Medical Assistance- Fee for Service Payments.