

FISCAL NOTE

May 3, 2019

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| Bill No: | HB 276 | Printer's No: | 284 | Sponsor: | Delozler (R) |
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COST / (SAVINGS)

| Fund (s) | 2019-20 | 2020-21 |
|--------------|-------------------------------|---------|
| General Fund | \$1.3 million - \$1.5 million | \$0 |

SUMMARY: This bill would propose an amendment to the Constitution of the Commonwealth of Pennsylvania, commonly referred to as Marsy's Law.

ANALYSIS: House Bill 276 would amend the Pennsylvania Constitution to secure justice and due process for crime victims throughout the criminal and juvenile justice systems. The constitutional amendment would provide for some of the following victim rights:

- To be treated with fairness and respect for the victim's safety, dignity and privacy.
- To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the accused.
- To reasonable and timely notice of and to be present at all public proceedings involving the criminal or delinquent conduct.
- To be notified of any pretrial disposition of the case.
- To be heard in any proceeding where a right of the victim is implicated, including release, plea, sentencing, disposition, parole and pardon.
- To be notified of all parole procedures, to parole process, to provide information to be considered before the parole of the offender.

The term "victim" would include any individual against whom the criminal offense or delinquent act is committed or who is directly harmed by the commission of the offense or act. The term does not include the accused or a person whom the court finds would not act in the best interests of a deceased, incompetent, minor or incapacitated victim.

Joint Resolution 1 of 2018 passed last session and if this identical bill would pass, this amendment to the constitution can be placed on the ballot as a referendum.

FISCAL IMPACT: The Department of State (DOS) would incur a cost of \$1.3 million to \$1.5 million in advertisement costs.