



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 920

PRINTER'S NO. 1568

PRIME SPONSOR: Langerholc

COST / (SAVINGS)

FUND	FY 2024/25	FY 2025/26
General Fund	\$1,500,000	\$1,200,000

SUMMARY:

This legislation establishes a statewide sexual assault tracking system.

ANALYSIS:

Senate Bill 920 Printer's Number 1568 amends Act 165 of 2006, known as the Sexual Assault Testing and Evidence Collection Act of 2006 (SATEC), to establish statewide sexual assault evidence tracking system.

Section 3.1 Sexual assault evidence tracking system:

This legislation adds Section 3.1 Sexual assault evidence tracking system that requires the Pennsylvania Commission on Crime and Delinquency (PCCD), in coordination with the Pennsylvania State Police, to establish and maintain a statewide tracking system for evidence collected under the sexual assault evidence collection program. All entities that handle and process rape kits, including health care facilities, the Pennsylvania State Police, local law enforcement agencies, and laboratories, must participate in the system.

Duties of the Pennsylvania Commission on Crime and Delinquency:

- Purchase an electronic off-the-shelf tracking system that meets the requirements of this section or apply for Federal funding to establish and maintain the tracking system.
- PCCD or a contracted entity will have exclusive responsibility and authority to maintain and operate the tracking system's server, including a data backup system located on the server.
- Create and provide training to inform all users who are not victims about the tracking system and its use and the requirements of the program.
- Post tutorials on its website on the use of the system for victims.
- Provide resources related to the tracking system to health care facilities and Pennsylvania Coalition Against Rape (PCAR) for victims on the system.
- Provide aggregate data related to the system. However, the legislation prohibits sharing of data under the Right-to-Know Law or any other relevant statute if it would compromise the safety of a victim or successful prosecution.

Section 5. Rights of sexual assault victims:

The legislation amends Section 5 Rights of sexual assault victims to provide sexual assault victim, guardian, or relative of a deceased victim the right to notification about the tracking system; notification within 24 hours if there is a breach in the system and the status of a victim's rape kit has been accessed; and the right to further preservation of the rape kit or its probative contents.

Section 6. Report by Pennsylvania State Police:

This legislation amends Section 6 Report by Pennsylvania State Police to add the following reporting requirements for the Pennsylvania State Police:

- Submit the annual report to President pro tempore of the Senate and Speaker of the House of Representatives, in addition to the Department of Health.
- Include a review of the current operation of the system, best practices in other states, and any recommended improvements to the system.
- For three years following the effective date of this paragraph, include an evaluation on the ability to on-board all rape kits collected prior to the effective date of this paragraph that have not had the testing or analysis of the rape kit completed.

Section 7. Waiver for victim:

This legislation adds Section 7 Waiver for victims to create a waiver under the Crime Victims Act for victims that delay in filing for compensation due to a delay in testing of a rape kit evidence. The Office of Victims' Services must create a waiver for victims seeking this waiver.

Effective date:

- PSP annual reporting requirement and the evaluation on the ability to on-board outstanding rape kits will take effect in one year upon the enactment.
- PSP reporting requirement to provide aggregate data and a review of the current operation of the system will take effect in 18 months upon the enactment.
- Establishment of the waiver program will take effect in 60 days upon enactment.
- The remainder of the legislation will take effect immediately upon enactment.

FISCAL IMPACT:

This legislation requires the Pennsylvania Commission on Crime and Delinquency (PCCD) to establish statewide sexual assault evidence tracking system. PCCD estimates that it will initially cost \$1.5 million for the servers, software modifications, support, and training to fulfill the requirements of this legislation. They estimate that it will cost \$1.2 million annually moving forward to maintain the system. This amount could be offset by any federal grants procured by the commission.

PREPARED BY: Aniam Iqbal, Budget Analyst
House Appropriations Committee (D)

DATE: October 23, 2024

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.