



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 120

PRINTERS NO. 2766

PRIME SPONSOR: M. O'Brien

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
General Fund	\$0	\$0

SUMMARY: House Bill 120, Printer's Number 2766, amends Title 4 (Amusements) further providing for prohibited acts and penalties.

ANALYSIS: This legislation adds Section 1518(a)(18) providing for the criminal offense for an individual to permit a child under 14 years old to remain unattended in a vehicle if the vehicle is located on property owned, leased or controlled by a licensed facility. An individual in violation of this subsection for the first time commits a misdemeanor of the third degree which is punishable by up to 1 year imprisonment and/ or a fine of up to \$2,500. A second or subsequent violation of this subsection is a misdemeanor of the second degree punishable by up to 2 years imprisonment and/ or fine of up to \$5,000. In addition, the individual shall be subject to exclusion or ejection from all licensed facilities. Furthermore, the investigating officer in the jurisdiction in which the vehicle is located shall provide written notice of the violation within 48 hours to the director of the county children and youth service agency of the county in which the violation occurred.

In the event the licensed facility fails to report a known violation, the Pennsylvania Gaming Control Board may assess a fine for failure to report. The amount of the fine shall be not less than \$75,000 nor more than \$150,000 for the first violation. For a second or subsequent violation the fine shall not be less than \$150,000 nor more than \$300,000.

This act shall take effect in 60 days.

FISCAL IMPACT: Enactment of this legislation will have no adverse fiscal impact on Commonwealth Funds. At least 10 documented instances of such behavior have occurred since February 2010.

PREPARED BY: Ritchie LaFaver
House Appropriations Committee (R)

DATE: November 16, 2011

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