



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1053

PRINTERS NO. 1850

PRIME SPONSOR: Gingrich

COST / (SAVINGS)

FUND	FY 2010/11	FY 2011/12
General Fund	\$0	\$0

SUMMARY: House Bill 1053, printer's number 1850, amends Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to further provide for the offense of neglect of care-dependent person and providing for the offense of abuse of care-dependent person. The effective date is 60 after enactment.

ANALYSIS: The bill amends Section 2713 of Title 18 to broaden the definition of the offense of neglect of care-dependent person by adding failure to provide treatment, care, goods or services necessary to preserve the health, safety or welfare of the care-dependent person. Intentionally or knowingly endangering the welfare of a care-dependent person by failing to provide treatment, care, or goods or services constitutes a misdemeanor of the second degree unless there is a course of conduct of endangering the welfare of a care-dependent person, in which case the offense constitutes a felony of the third degree. Definitions for legal entity and private care residence are also added to Section 2173(f). The definition for caretaker is also modified and expanded. A new section is also added to Title 18 (proposed as Section 2713.1) to define the offense of abuse of care-dependent person. The offense is graded as misdemeanor of the first degree unless the offense involves stalking a care-dependent person, in which case the offense is graded as a felony of the third degree.

The Office or Attorney General and district attorneys are provided with the authority to investigate and institute criminal proceedings relating to abuse of a care-dependent person. Additionally, a Commonwealth agency or department that is conducting any regulatory or investigative functions and finds reasonable cause to believe that a violation relating to abuse of a care-dependent person has occurred must immediately submit a report to the local law enforcement agency or to the Office of Attorney General.

FISCAL IMPACT: The enactment of this legislation will have no adverse impact on Commonwealth funds.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: May 11, 2011

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