



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

SENATE BILL NO. 186

PRINTER'S NO. 1804

PRIME SPONSOR: Ward

### COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	\$0	See Fiscal Impact

### SUMMARY:

This legislation changes the definition of “child pornography” in Titles 18 and 6. The legislation further amends Title 42 to create a two-year temporary window to file civil action claims alleging childhood sexual abuse. The bill retroactively and prospectively applies exceptions to sovereign and governmental immunity for childhood sexual abuse.

### ANALYSIS:

Senate Bill 186 changes the definition of “child pornography” in Titles 18 and 61 to “child sexual abuse material.”

The legislation further amends Title 42 to create a temporary two-year window to file civil action claims alleging childhood (under 18 at the time of the cause of action) sexual abuse for instances where the limitation period for that cause of action has expired. The temporary two-year window would open upon passage of the legislation.

The bill also states that the exceptions to sovereign and governmental immunity for childhood sexual abuse, granted by Act 87 of 2019, apply retroactively and prospectively to the effective date of this legislation.

The Supreme Court of Pennsylvania is granted extraordinary jurisdiction to hear a challenge or to render a declaratory judgement concerning the constitutionality of the bill. The provisions of the bill are nonseverable, meaning if any provision of the bill is found to be invalid, then the remaining provisions of the bill would be void.

This legislation stipulates that the amendment of Title 42 would take effect immediately. The remainder of the legislation would take effect in 60 days upon enactment.

### FISCAL IMPACT:

Enactment of this legislation could have a fiscal impact on the Commonwealth and on local governments by allowing for civil lawsuits for childhood sexual abuse that are currently barred due to governmental and sovereign immunity. The size of the impact is impossible to estimate at this time and would depend on the number of lawsuits and the size of any awards.

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**DATE:** July 3, 2024

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