

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1455 Session of  
2012

INTRODUCED BY GREENLEAF, SCHWANK, BAKER, ERICKSON, HUGHES, LEACH  
AND ALLOWAY, MARCH 23, 2012

REFERRED TO JUDICIARY, MARCH 23, 2012

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in facilities and  
3 supplies, further providing for surcharge; and, in access to  
4 justice, repealing provisions relating to expiration of  
5 chapter.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Section 3733.1 of Title 42 of the Pennsylvania  
9 Consolidated Statutes, amended July 7, 2011 (P.L.207, No.30), is  
10 amended to read:

11 § 3733.1. Surcharge.

12 (a) Imposition of surcharge.--In addition to each fee  
13 imposed under section 3733(a.1) (relating to deposits into  
14 account), [except as set forth in subsection (b),] the following  
15 apply:

16 (1) A surcharge of [\$11.25] \$10.25 shall be charged and  
17 collected. This paragraph shall expire December 31, 2014.

18 (2) A permanent fee of \$2.25 shall be charged and  
19 collected.

1       (3) A permanent fee of \$1 shall be charged and  
2       collected.

3       [(b) Exceptions.--Subsection (a) does not apply to a  
4 conviction or guilty plea based on the filing of a traffic  
5 citation charging an offense under 75 Pa.C.S. (relating to  
6 vehicles) which is classified as summary under a State statute  
7 or local ordinance as provided in the Pennsylvania Rules of  
8 Criminal Procedure.]

9       (c) Allocation and appropriation.--

10       (1) The surcharge under subsection (a)(1) [shall be  
11 allocated as follows:

12           (i) One dollar shall be deposited into the Access to  
13 Justice Account.

14           (ii) The remainder of money] shall be deposited into  
15 a separate reserve account within the Judicial Computer  
16 System Augmentation Account. Notwithstanding section 3732  
17 (relating to utilization of funds in account), money  
18 deposited under this [subparagraph] paragraph is hereby  
19 appropriated to the Supreme Court, upon compliance with  
20 Article XV of the act of April 9, 1929 (P.L.343, No.176),  
21 known as The Fiscal Code, for the operation of the  
22 Judicial Department.

23       (2) The fee under subsection (a)(2) shall be deposited  
24 into the Criminal Justice Enhancement Account.

25       (3) The fee under subsection (a)(3) shall be deposited  
26       into the Access to Justice Account.

27       Section 2. Section 4907 of Title 42 is repealed:

28       [§ 4907. Expiration of chapter.

29       This chapter shall expire on November 1, 2012. At least one  
30 year prior to the expiration of this chapter, the Legislative

1 Budget and Finance Committee shall conduct and submit to the  
2 General Assembly a performance audit for the purpose of  
3 determining whether there is a continuing justification for the  
4 activities and level of financial support provided for under  
5 this chapter.]

6 Section 3. This act shall take effect as follows:

7 (1) The amendment of 42 Pa.C.S. § 3733.1 shall take  
8 effect in 30 days.

9 (2) The remainder of this act shall take effect  
10 immediately.