

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1038 Session of
1989

INTRODUCED BY PIEVSKY, PICCOLA, DeWEESE, CALTAGIRONE, O'DONNELL,
DONATUCCI, COY, JAROLIN, CAWLEY, RYBAK, J. H. CLARK, MILLER,
WOGAN, VEON, TRICH, FARGO, KOSINSKI, O'BRIEN, BLAUM, JOHNSON,
CHADWICK, MAIALE, HOWLETT, NOYE, MORRIS, KUKOVICH, FAIRCHILD,
GODSHALL, LINTON, OLASZ, J. L. WRIGHT, HALUSKA, MICHLOVIC,
ROBINSON, GLADECK, PRESSMANN, MOEHLMANN, HAYDEN,
YANDRISEVITS, KENNEY, MERRY, DEMPSEY, TRELLO, TIGUE, THOMAS,
S. H. SMITH, MELIO, LASHINGER, DeLUCA AND RIEGER,
APRIL 5, 1989

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 5, 1989

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for collection
3 of money in criminal actions.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 9728. Collection of restitution, reparation, fees, costs,
9 fines and penalties.

10 All restitution, reparation, fees, costs, fines and penalties
11 shall be collectible in any manner provided by law. However,
12 such restitution, reparation, fees, costs, fines and penalties
13 are part of a criminal action or proceeding and shall not be
14 deemed debts. A sentence or pretrial disposition order for
15 restitution, reparation, fees, costs, fines or penalties shall,

together with interest and any additional costs that may accrue,
be a judgment upon the person or the property of the person
sentenced or subject to the pretrial disposition order. The
county probation department or other appropriate governmental
agency shall, upon sentencing, transmit to the prothonotaries of
the respective counties certified copies of all judgments for
restitution, reparation, fees, costs, fines and penalties, and
it shall be the duty of each prothonotary to enter and docket
the same of record in his office and to index the same as
judgments are indexed, without requiring the payment of costs as
a condition precedent to the entry thereof. The total amount for
which the person is liable pursuant to this section may be
entered as a judgment upon the person or the property of the
person sentenced, regardless of whether the amount has been
ordered to be paid in installments. Notwithstanding 18 Pa.C.S. §
1106(c)(2) (relating to restitution for injuries to person or
property), the period of time during which such judgments shall
have full effect may exceed the maximum term of imprisonment to
which the offender could have been sentenced for the crimes of
which he was convicted. However, this section shall not affect
contempt proceedings mandated by 18 Pa.C.S. § 1106(f).

Section 2. This act shall take effect in 60 days.