

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1497 Session of  
1999

INTRODUCED BY TRELLO, WOJNAROSKI, M. COHEN, LAUGHLIN, STABACK,  
COSTA, BELFANTI, PESCI, CIVERA, McCALL, WILLIAMS AND  
COLAFELLA, MAY 12, 1999

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 12, 1999

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for the  
3 allocation of certain fines; and making editorial changes.

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

6 Section 1. Section 3571 of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3571. Commonwealth portion of fines, etc.

9 (a) General rule.--Except as otherwise provided by statute,  
10 the Commonwealth shall be entitled to receive all fines,  
11 forfeited recognizances and other forfeitures imposed, lost or  
12 forfeited, fees and costs which by law have heretofore been paid  
13 or credited to, or which by statute are payable or creditable  
14 to, the Commonwealth. Fees and charges in an appellate court  
15 fixed pursuant to section 1725 (relating to establishment of  
16 fees and charges) shall be paid into the State Treasury. Unless  
17 otherwise expressly provided by the General Appropriation Act,  
18 such fees and charges shall be credited to the appropriation of

1 the appellate court in which they were received.

2 (b) Vehicle offenses.--

3 (1) (i) All fines, forfeited recognizances and other  
4 forfeitures imposed, lost or forfeited in connection with  
5 matters arising under Chapter 77 of Title 75 (relating to  
6 snowmobiles and all-terrain vehicles) shall unless  
7 otherwise provided in Chapter 77 of Title 75 be payable  
8 to the Commonwealth.

9 (ii) If the matter described in subparagraph (i)  
10 arises on the Pennsylvania Turnpike or any of its  
11 extensions and the prosecution of such matter being the  
12 result of State Police action, all fines, forfeited  
13 recognizances and other forfeitures imposed, lost or  
14 forfeited in connection therewith shall be divided as  
15 follows:

16 (A) One-half shall be paid to the Pennsylvania  
17 Turnpike Commission.

18 (B) One-half shall be paid to the Commonwealth,  
19 as described in subparagraph (i).

20 (2) (i) Except as provided in paragraph (4), when  
21 prosecution under any other provision of Title 75  
22 (relating to vehicles) is the result of State Police  
23 action, all fines, forfeited recognizances and other  
24 forfeitures imposed, lost or forfeited shall be payable  
25 to the Commonwealth, for credit to the Motor License  
26 Fund. One-half of the revenue shall be paid to  
27 municipalities in the same ratio provided in section 4 of  
28 the act of June 1, 1956 [(P.L.1944, No.655), relating to  
29 partial allocation of liquid fuels and fuel use tax  
30 proceeds.] (1955 P.L.1944, No.655), referred to as the

Liquid Fuels Tax Municipal Allocation Law.

(ii) If the matter described in subparagraph (i) arises on the Pennsylvania Turnpike or any of its extensions, all fines, forfeited recognizances and other forfeitures imposed, lost or forfeited in connection therewith shall be divided as follows:

(A) One-half shall be paid to the Pennsylvania Turnpike Commission.

(B) One-half shall be paid to municipalities in the manner described in subparagraph (i).

(3) Except as provided in section 3573 (relating to municipal corporation portion of fines, etc.), when prosecution under any other provision of Title 75 is the result of local police action, one-half of all fines, forfeited recognizances and other forfeitures imposed, lost or forfeited shall be payable to the Commonwealth, for credit to the Motor License Fund.

(4) (i) When prosecution under 75 Pa.C.S. § 3731 (relating to driving under influence of alcohol or controlled substance) is the result of State Police action, 50% of all fines, forfeited recognizances and other forfeitures imposed, lost or forfeited shall be payable to the Commonwealth, for credit to the Motor License Fund, and 50% shall be payable to the county which shall be further divided as follows:

[(i)] (A) Fifty percent of the moneys received shall be allocated to the appropriate county authority which implements the county drug and alcohol program to be used solely for the purposes of aiding programs promoting drug abuse and alcoholism prevention,

education, treatment and research. Programs under this [subparagraph] clause include Project DARE (Drug and Alcohol Resistance Education).

[(ii)] (B) Fifty percent of the moneys received shall be used for expenditures incurred for county jails, prisons, workhouses and detention centers.

(ii) If the prosecution described in subparagraph (i) is for an offense which occurred on the Pennsylvania Turnpike or any of its extensions, all fines, forfeited recognizances and other forfeitures imposed, lost or forfeited in connection therewith shall be divided as follows:

(A) One-half shall be paid to the Pennsylvania Turnpike Commission.

(B) One-half shall be paid to the county in the manner described in subparagraph (i).

(c) Costs in district justice proceedings.--

(1) Costs collected by a district justice shall be transmitted monthly to the Commonwealth in amounts as prescribed in subsection (b) and the balance shall be transmitted monthly to the county in which the magisterial district is located. Costs transmitted to the Commonwealth shall be credited to the General Fund. Costs transmitted to the county shall be retained by the county for its use.

(2) Amounts payable to the Commonwealth:

(i) Summary conviction, except motor vehicle cases..... \$10.00

(ii) Summary conviction, motor vehicle cases other than subparagraph (iii)..... \$10.00

(iii) Summary conviction, motor vehicle cases,

1	hearing demanded.....	\$10.00
2	(iv) Misdemeanor.....	\$13.00
3	(v) Felony.....	\$20.00
4	(vi) Assumpsit or trespass involving:	
5	(A) \$500 or less.....	\$12.50
6	(B) More than \$500 but not more than	
7	\$2,000.....	\$20.00
8	(C) More than \$2,000 but not more	
9	than \$4,000.....	\$30.00
10	(D) More than \$4,000 but not more	
11	than \$8,000.....	\$50.00
12	(vii) Landlord-tenant proceeding involving:	
13	(A) \$2,000 or less.....	\$20.00
14	(B) More than \$2,000 but not more than	
15	\$4,000.....	\$25.00
16	(C) More than \$4,000 but not more than	
17	\$8,000.....	\$35.00
18	(viii) Objection to levy.....	\$ 5.00
19	(ix) Order of execution.....	\$15.00
20	(x) Issuing a search warrant (except as provided	
21	in section 1725.1(d) (relating to costs)).....	\$ 7.00
22	(xi) Order of possession.....	\$15.00

23 (3) In all cases where costs are borne by the county  
24 pursuant to section 1725.2 (relating to assumption of summary  
25 conviction costs by county), no share of such costs shall be  
26 payable to the Commonwealth.

27 (4) Beginning on January 1, 1994, and each January 1  
28 thereafter, the costs under paragraph (2) shall be increased  
29 by the percentage of increase in the Consumer Price Index for  
30 Urban Workers for the immediate preceding calendar year which

1 shall be published in the Pennsylvania Bulletin annually by  
2 the Supreme Court on or before the preceding November 30.

3 This paragraph shall expire January 1, 2001.

4 (d) Victims compensation fund.--Where any person pleads  
5 guilty or nolo contendere to or is convicted of any crime as  
6 defined in section 477 of the act of April 9, 1929 (P.L.177,  
7 No.175), known as ["The Administrative Code of 1929,[" \$10 at  
8 least of the cost imposed except costs borne by a political  
9 subdivision shall be paid into the General Fund.

10 (e) Other offenses.--Fines, forfeited recognizances and  
11 other forfeitures imposed, lost or forfeited under the following  
12 provisions of law shall be payable to the Commonwealth:

13 18 Pa.C.S. § 7361 (relating to worldly employment or  
14 business).

15 Act of December 1, 1965 (P.L.988, No.368), known as the  
16 Weights and Measures Act of 1965, when the proceeding is  
17 instituted by an agent or employee of the Department of  
18 Agriculture.

19 Act of November 26, 1978 (P.L.1375, No.325), known as the  
20 Dam Safety and Encroachments Act.

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