

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 2798 Session of  
2002

INTRODUCED BY GEIST, CAPPELLI, CREIGHTON, DeLUCA, FLICK,  
LESCOVITZ, PERZEL, SATHER, STERN AND E. Z. TAYLOR,  
JULY 15, 2002

REFERRED TO COMMITTEE ON JUDICIARY, JULY 15, 2002

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for fingerprint  
3 fee.

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 § 1725.5. Fingerprint fee.

9 (a) Imposition.-- A person who has fingerprints taken  
10 pursuant to 18 Pa.C.S. § 3929 (relating to retail theft), 3929.1  
11 (relating to library theft) or 9112 (relating to mandatory  
12 fingerprinting) shall, in addition to any fines, penalties or  
13 costs, pay a fingerprint fee which shall include, but is not  
14 limited to, the actual cost of having the fingerprints taken.

15 (b) Amount of fee.--The amount of the fee shall be as  
16 follows:

17 (1) Where a person who has fingerprints taken pleads  
18 guilty or nolo contendere to or receives Accelerated

1 Rehabilitative Disposition or is convicted of a crime as  
2 defined in 18 Pa.C.S. § 106 (relating to classes of  
3 offenses), the director of the unit of the criminal justice  
4 agency which took the fingerprints shall determine the actual  
5 cost of the fingerprint services provided and shall transmit  
6 a statement of services rendered to the court. The court may  
7 set the fee at an amount above the actual cost.

8 (2) Where a person who has fingerprints taken does not  
9 plead guilty or nolo contendere to or does not receive  
10 Accelerated Rehabilitative Disposition or is not convicted of  
11 a crime as defined in 18 Pa.C.S. § 106, the director of the  
12 unit of the criminal justice agency which took the  
13 fingerprints shall determine the actual cost of the  
14 fingerprint services and present a statement of services  
15 rendered to the person. The amount of the fee may not exceed  
16 the actual cost of fingerprint services.

17 (c) Disposition of fees.--Fees collected pursuant to this  
18 section shall be used solely for the operation and maintenance  
19 of fingerprint services provided by a criminal justice agency.

20 (d) Other laws.--The fingerprint fee shall be imposed  
21 notwithstanding any other provision of law to the contrary.

22 (e) Definition.--As used in this section, the term "criminal  
23 justice agency" shall have the same meaning given to it in 18  
24 Pa.C.S. § 9102 (relating to definitions).

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