

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 883 Session of 1993

INTRODUCED BY TRELLO, EVANS, DALEY, McCALL, PRESTON, LAUGHLIN, TOMLINSON, PESCI, GANNON, MICOZZIE, VAN HORNE, BAKER, OLASZ, WOZNIAK, KENNEY, JAMES, ROHRER, JOSEPHS, SAURMAN, HUGHES, RICHARDSON, WILLIAMS, OLIVER AND BISHOP, MARCH 24, 1993

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 24, 1993

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, amended December 18, 1992 (P.L. ,  
8 No.167), is amended to read:

9 § 3571. Commonwealth portion of fines, etc.

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

1 otherwise expressly provided by the General Appropriation Act,  
2 such fees and charges shall be credited to the appropriation of  
3 the appellate court in which they were received.

4 (b) Vehicle offenses.--

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

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

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

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

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

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 alcoholism prevention,  
education, treatment and research.

[(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 to the Pennsylvania Turnpike  
Commission.

(B) One-half 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,  
hearing demanded..... \$10.00

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

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

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

1 the Supreme Court on or before the preceding November 30.

2 This paragraph shall expire January 1, 2001.

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

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

12 18 Pa.C.S. § 7361 (relating to worldly employment or  
13 business).

14 Act of November 26, 1978 (P.L.1375, No.325), known as the  
15 ["Dam Safety and Encroachments Act.["]  
16 Section 2. This act shall take effect in 60 days.