

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1199 Session of
2005

INTRODUCED BY D. EVANS, BLACKWELL, CALTAGIRONE, CRAHALLA, CURRY,
DALEY, DeLUCA, DENLINGER, FABRIZIO, FRANKEL, HENNESSEY,
KILLION, KIRKLAND, KOTIK, MANDERINO, MUNDY, PRESTON, STABACK,
THOMAS, WALKO, WASHINGTON AND WHEATLEY, MARCH 29, 2005

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 29, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 criminal fines; and making a related repeal.

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

6 Section 1. Section 9758(b) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 9758. Fine.

9 * * *

10 (b) Installment payment.--

11 (1) Except [for fines imposed under Title 34 (relating
12 to game)] as set forth in this subsection, the court may
13 permit installment payments as it considers appropriate to
14 the circumstances of the defendant, in which case its order
15 shall specify when each installment payment is due.

16 (2) Installment payments for fines imposed for summary
17 offenses under Title 34 (relating to game) shall not exceed

1 one year for summary offenses and, except for 34 Pa.C.S. §
2 2522 (relating to shooting at or causing injury to human
3 beings), shall not exceed two years for misdemeanor offenses.

4 (3) For a fine under Title 75 (relating to vehicles):

5 (i) Upon plea and proof that a person is without the
6 financial means to pay the fine, the court may order any
7 of the following:

8 (A) Payment of the fine in installments fixed as
9 to amount, time and manner of payment.

10 (B) Performance of a reasonable period of
11 community service. Court-ordered community service
12 may be imposed under this clause in lieu of payment
13 of up to 50% of the fine originally imposed. The
14 court shall fix the duration, time and manner of the
15 performance of community service.

16 (ii) A person who does not comply with an order
17 entered under this paragraph may be imprisoned for a
18 number of days equal to one day for each \$40 of the
19 unpaid balance of the fine.

20 * * *

21 Section 2. Section 6504 of Title 75 is repealed.

22 Section 3. This act shall apply to sentences imposed on or
23 after the effective date of this section.

24 Section 4. This act shall take effect in 60 days.