

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2513 Session of  
2008

INTRODUCED BY THOMAS, CALTAGIRONE, PARKER, MILNE, BISHOP,  
DeLUCA, FRANKEL, HERSHEY, JOSEPHS, MOUL, MUNDY, O'NEILL,  
SIPTROTH, K. SMITH AND SWANGER, MAY 12, 2008

REFERRED TO COMMITTEE ON JUDICIARY, MAY 12, 2008

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 collection of restitution, reparation, fees, costs, fines and  
4 penalties.

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

7 Section 1. Section 9728(b)(5) and (g.1) of Title 42 of the  
8 Pennsylvania Consolidated Statutes are amended to read:

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

11 \* \* \*

12 (b) Procedure.--

13 \* \* \*

14 (5) (i) The county correctional facility to which the  
15 offender has been sentenced or the Department of  
16 Corrections shall be authorized to make monetary  
17 deductions from inmate personal accounts [for the purpose  
18 of collecting restitution or any other court-ordered

obligation] as provided under this paragraph. Any amount deducted shall be transmitted by the Department of Corrections or the county correctional facility to the probation department of the county or other agent designated by the county commissioners of the county with the approval of the president judge of the county in which the offender was convicted.

(ii) The monetary deductions from inmate personal accounts shall be as follows:

(A) Thirty percent shall be deposited into the Crime Victim's Compensation Fund.

(B) Twenty-five percent shall be deposited in an account established by the county and dedicated to providing funding to the county victims services agency.

(C) Twenty percent shall be used to pay fees, costs, fines, penalties and other court-ordered obligations.

(iii) The Department of Corrections shall develop guidelines relating to its responsibilities under this paragraph.

\* \* \*

(g.1) Payment.--[No less than 50% of all] The moneys collected by the county probation department or other agent designated by the county commissioners of the county with the approval of the president judge of the county pursuant to subsection (b)(1) and deducted pursuant to subsection (b)(5) shall, until the satisfaction of the defendant's restitution obligation, be [used to pay restitution to victims. Any remaining moneys] subject to the following provisions:

1       (1) Thirty percent of the moneys shall be transferred to  
2       the Commonwealth for deposit into the Crime Victim's  
3       Compensation Fund.

4       (2) Twenty-five percent of the moneys shall be deposited  
5       in an account established by the county and dedicated to  
6       providing funding to the county victims services agency.

7       (3) Twenty percent of the moneys shall be used to pay  
8       fees, costs, fines, penalties and other court-ordered  
9       obligations.

10       (4) The balance of the moneys shall be returned to the  
11       defendant.

12       \* \* \*

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