

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1919 Session of
2009

INTRODUCED BY GROVE, CREIGHTON, DAY, DENLINGER, GIBBONS,
HARHART, KAUFFMAN, MURT, MYERS, OBERLANDER, O'NEILL, PICKETT,
READSHAW, SONNEY, VULAKOVICH AND YOUNGBLOOD, AUGUST 10, 2009

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 10, 2009

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for driving
3 under the influence courts.

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 § 916. Driving under the influence courts.

9 (a) Establishment.--The court of common pleas of a judicial
10 district and the Municipal Court of Philadelphia may establish a
11 DUI court as a special criminal docket whereby defendants are
12 admitted to a court-supervised individualized alcohol treatment
13 program. The court may adopt local rules for the administration
14 of the DUI court and its related treatment services. The local
15 rules may not be inconsistent with this section or any rules
16 established by the Supreme Court.

17 (b) Statewide DUI court coordinator.--The Supreme Court may
18 appoint a Statewide DUI court coordinator. The Statewide DUI

1 court coordinator may:

2 (1) Encourage and assist in the establishment of a DUI
3 court in each judicial district.

4 (2) Identify sources of funding for DUI courts and their
5 related treatment services, including the availability of
6 grants.

7 (3) Provide coordination and technical assistance for
8 grant applications.

9 (4) Develop model guidelines for the administration of
10 DUI courts and their related treatment services.

11 (5) Establish procedures for monitoring DUI courts and
12 their related treatment services and for evaluating the
13 effectiveness of DUI courts and their related treatment
14 services.

15 (c) Advisory committee.--The Supreme Court may establish an
16 interdisciplinary and interbranch advisory committee to advise
17 and assist the Statewide DUI court coordinator in monitoring and
18 administering DUI courts Statewide.

19 (d) Imposition of surcharge.--A defendant convicted of a
20 drug or alcohol-related offense in a judicial district in which
21 the court has established a DUI court may be ordered by the
22 court to pay a surcharge of \$25 which shall be collected in the
23 same manner as other court costs. In addition to any grants or
24 other money that may become available through public or private
25 sources, the money collected through this surcharge shall be
26 used by the county to fund the DUI court and its related
27 treatment services.

28 (e) Definitions.--As used in this section, the following
29 words and phrases shall have the meanings given to them in this
30 subsection:

1 "DUI." Driving under the influence.
2 "Drug or alcohol-related offense." A criminal offense that
3 the court determines was motivated by the defendant's
4 consumption of or addiction to alcohol or a controlled
5 substance, counterfeit, designer drug, immediate precursor or
6 marijuana, as those terms are defined in the act of April 14,
7 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,
8 Device and Cosmetic Act.
9 Section 2. This act shall take effect in 60 days.