

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2134 Session of 2014

INTRODUCED BY MASSER, STEPHENS, THOMAS, SCHLOSSBERG, SWANGER,
HARHAI, GOODMAN, GINGRICH, MURT, CALTAGIRONE AND GILLEN,
MARCH 31, 2014

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 31, 2014

AN ACT

1 Amending the act of November 24, 1998 (P.L.882, No.111),
2 entitled "An act providing for victims' rights; imposing
3 penalties; establishing remedies; establishing the Office of
4 Victim Advocate, the Bureau of Victims' Services, the
5 Victims' Services Advisory Committee, the State Offender
6 Supervision Fund and other funds; and making repeals," in
7 financial matters, further providing for costs.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1101 of the act of November 24, 1998
11 (P.L.882, No.111), known as the Crime Victims Act, amended June
12 28, 2002 (P.L.496, No.85), is amended to read:

13 Section 1101. Costs.

14 (a) Imposition.--

15 (1) A person who pleads guilty or nolo contendere or who
16 is convicted of a crime shall, in addition to costs imposed
17 under 42 Pa.C.S. § 3571(c) (relating to Commonwealth portion
18 of fines, etc.), pay costs of at least [\$60] \$110 and may be
19 sentenced to pay additional costs in an amount up to the
20 statutory maximum monetary penalty for the offense committed.

1 (2) A person placed in a diversionary program shall pay
2 costs of at least [\$60] \$110 in addition to costs imposed
3 pursuant to 42 Pa.C.S. § 3571(c).

4 (3) A juvenile shall pay costs of at least [\$25] \$35 if
5 any of the following apply to the case:

6 (i) There is a consent decree.

7 (ii) There is an adjudication of delinquency.

8 (b) Disposition.--

9 (1) There is established a special nonlapsing fund,
10 known as the Crime Victim's Compensation Fund. This fund
11 shall be used by the Office of Victims' Services for payment
12 to claimants and technical assistance. [Thirty-five] Fifty-
13 five dollars of the costs imposed under subsection (a)(1) and
14 (2) plus 30% of the costs imposed under subsection (a)(1)
15 which exceed [\$60] \$110 shall be paid into this fund. All
16 costs imposed under subsection (a)(3) shall be paid into this
17 fund.

18 (2) There is established a special nonlapsing fund,
19 known as the Victim Witness Services Fund. This fund shall be
20 used by the commission for victim-witness services and
21 technical assistance in nonvictim compensation-related areas
22 in accordance with this section. [Twenty-five] Fifty-five
23 dollars of the costs imposed under subsection (a)(1) and (2)
24 plus 70% of the costs imposed under subsection (a)(1) and (2)
25 which exceed [\$60] \$110 shall be paid into this fund.

26 (c) Payment.--This cost shall be imposed notwithstanding any
27 statutory provision to the contrary.

28 (d) Mandamus.--The district attorney, the Office of Victims'
29 Services, the commission or any victim shall have standing to
30 seek a mandamus order requiring the county to collect the costs

1 imposed by this section.

2 (e) Court order.--No court order shall be necessary in order
3 for the defendant to incur liability for costs under this
4 section. Costs under this section must be paid in order for the
5 defendant to be eligible for probation, parole or accelerated
6 rehabilitative disposition.

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