

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1167 Session of  
2015

INTRODUCED BY BARBIN, MARSICO, READSHAW, MURT, D. COSTA,  
BIZZARRO, YOUNGBLOOD, MILLARD, KINSEY, THOMAS, PASHINSKI,  
STEPHENS, DeLUCA, A. HARRIS, McNEILL, COHEN, WATSON, HARKINS  
AND JOZWIAK, MAY 12, 2015

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 16, 2015

## 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 enforcement, providing for State income tax intercept.

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

10 Section 1. The act of November 24, 1998 (P.L.882, No.111),  
11 known as the Crime Victims Act, is amended by adding a section  
12 to read:

13 Section 1302.1. State income tax intercept.

14 (a) Duty of Department of Revenue.--In the case of any  
15 taxpayer due to receive a refund under section 346 OF A PAYMENT <--  
16 OF TAX UNDER ARTICLE III of the act of March 4, 1971 (P.L.6,  
17 No.2), known as the Tax Reform Code of 1971, the Department of  
18 Revenue shall deduct from the refund the amount of any court-  
19 ordered obligation arising from a criminal prosecution or

1 proceeding, pay the amount deducted to the clerk of court for  
2 the county in which the order was entered, NOTIFY THE TAXPAYER <--  
3 OF A PAYMENT MADE UNDER THIS SECTION and pay any amount  
4 remaining to the taxpayer.

5 (b) Priority.--A deduction under subsection (a) shall be  
6 given priority after any deduction for delinquent Pennsylvania  
7 State income tax obligations or delinquent support under 23  
8 Pa.C.S. § 4307 (relating to State income tax intercept).

9 (c) Administrative fee.--The Department of Revenue may  
10 determine and set a fee to cover the actual costs to administer  
11 this section and may deduct the calculated amount from the  
12 refund subject to a deduction under this section.

13 (d) Report.--The Department of Revenue shall annually report  
14 to the Pennsylvania Commission on Crime and Delinquency, the  
15 Finance Committee of the Senate and the Finance Committee of the  
16 House of Representatives the amount of court-ordered obligations  
17 collected under this section.

18 (e) Duty of the Administrative Office of Pennsylvania  
19 Courts.--The Administrative Office of Pennsylvania Courts shall  
20 provide the Department of Revenue with the information necessary  
21 to fulfill its duties under subsection (a).

22 Section 2. This act shall take effect in 180 days.