

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 741 Session of
2017

INTRODUCED BY GREENLEAF, LEACH, HUGHES, COSTA, RAFFERTY,
FARNESE, YUDICHAK, STREET, RESCHENTHALER AND HAYWOOD,
JUNE 4, 2017

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 3, 2017

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, ~~in Administrative Office~~ <--
3 ~~of Pennsylvania Courts, further providing for senior judge~~
4 ~~operational support grants;~~ in facilities and supplies,
5 further providing for deposits into account ~~and for~~ <--
6 ~~surcharge;~~ and repealing provisions relating to expiration of
7 chapter.

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

10 ~~Section 1. Sections 1906(i), 3733(a.1)(1) and (2)(iii) and~~ <--
11 ~~3733.1(a)(1) of Title 42 of the Pennsylvania Consolidated~~
12 ~~Statutes are amended to read:~~

13 ~~§ 1906. Senior judge operational support grants.~~

14 * * *

15 ~~(i) Expiration. This section shall expire on June 30,~~
16 ~~{2017} 2022, unless reenacted prior to that date.~~

17 SECTION 1. SECTION 3733(A.1)(1) AND (2)(III) OF TITLE 42 OF <--
18 THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:
19 § 3733. Deposits into account.

1 * * *

2 (a.1) Additional fees.--

3 (1) In addition to the court costs and filing fees
4 authorized to be collected by statute:

5 (i) An additional fee of [\$10] \$12 shall be charged
6 and collected by the prothonotaries of the Pennsylvania
7 Supreme, Superior and Commonwealth Courts for each
8 initial filing for which a fee, charge or cost is now
9 authorized.

10 (ii) An additional fee of [\$10] \$12 shall be charged
11 and collected by the prothonotaries, clerks of orphans'
12 courts and registers of wills of all courts of common
13 pleas, or by any officials designated to perform the
14 functions thereof, for the initiation of any civil action
15 or legal proceeding.

16 (iii) An additional fee of [\$10] \$12 shall be
17 charged by the clerks of courts of all courts of common
18 pleas, or by any officials designated to perform the
19 functions thereof, for the initiation of any criminal
20 proceeding for which a fee, charge or cost is now
21 authorized and a conviction is obtained or guilty plea is
22 entered. The additional fee under this subparagraph shall
23 also be charged and collected when a defendant is granted
24 entry into Accelerated Rehabilitative Disposition or any
25 other pretrial diversionary program.

26 (iv) An additional fee of [\$10] \$12 shall be charged
27 and collected by the minor judiciary, including
28 magisterial district judges, Philadelphia Municipal
29 Court, Philadelphia Traffic Court and Pittsburgh
30 Municipal Court, for the initiation of a legal proceeding

1 for which a fee or cost is now authorized, except that in
2 criminal, summary and traffic matters the fee shall be
3 charged only when a conviction is obtained or guilty plea
4 is entered. The additional fee under this subparagraph
5 shall also be charged and collected when a defendant is
6 granted entry into Accelerated Rehabilitative Disposition
7 or any other pretrial diversionary program.

8 (v) An additional fee of [\$10] \$12 shall be charged
9 and collected by the recorders of deeds and clerks of
10 court, or by any officials designated to perform similar
11 functions, for each filing of a deed, mortgage or
12 property transfer for which a fee, charge or cost is now
13 authorized. The Supreme Court shall designate by
14 financial regulations which filings meet the criteria of
15 this subparagraph.

16 (2) The additional fees identified in paragraph (1)
17 shall be fixed and charged for the fiscal years as indicated:

18 * * *

19 (iii) For the fiscal year 2005-2006 and each fiscal
20 year thereafter, \$8 of each additional fee shall be
21 deposited into the Judicial Computer System Augmentation
22 Account, and [\$2] \$4 of each additional fee shall be
23 deposited into the Access to Justice Account under
24 section 4904.

25 * * *

26 ~~§ 3733.1. Surcharge.~~

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27 ~~(a) Imposition of surcharge. In addition to each fee~~
28 ~~imposed under section 3733(a.1) (relating to deposits into~~
29 ~~account), except as set forth in subsection (b), the following~~
30 ~~apply:~~

1 ~~(1) A surcharge of \$11.25 shall be charged and~~
2 ~~collected. This paragraph shall expire December 31, [2017]~~
3 ~~2022.~~

4 * * *

5 Section 2. Section 4907 of Title 42 is repealed:

6 [§ 4907. Expiration of chapter.

7 This chapter shall expire on November 1, 2017. At least one
8 year prior to the expiration of this chapter, the Legislative
9 Budget and Finance Committee shall conduct and submit to the
10 General Assembly a performance audit for the purpose of
11 determining whether there is a continuing justification for the
12 activities and level of financial support provided for under
13 this chapter.]

14 Section 3. This act shall take effect ~~in 60 days~~

<--

15 IMMEDIATELY.

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