

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 460

Session of
1981

INTRODUCED BY NOYE, JOHNSON, HASAY, DORR, B. SMITH, MRKONIC,
J. L. WRIGHT, MORRIS, MILLER, COCHRAN, BOWSER, PETERSON,
KLINGAMAN, JACKSON, SALVATORE, PHILLIPS, MADIGAN, MERRY,
PERZEL, MICOZZIE, CIVERA, MACKOWSKI, PRATT, ALDEN, HALUSKA,
VROON, E. Z. TAYLOR, McVERRY, SPITZ, SAURMAN, ITKIN,
LETTERMAN, SWAIM AND GANNON, FEBRUARY 9, 1981

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 9, 1981

AN ACT

1 Amending the act of December 2, 1968 (P.L.1144, No.358),
2 entitled "An act to provide for the office of public
3 defender, authorizing assistants and other personnel, and to
4 provide adequate representation for persons who have been
5 charged with an indictable offense or with being a juvenile
6 delinquent, who for lack of sufficient funds are unable to
7 obtain legal counsel," providing for the court to assess
8 certain costs on certain criminal defendants and providing
9 for a schedule of limited repayments.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 2. Section 8, act of December 2, 1968 (P.L.1144,
13 No.358), known as the "Public Defender Act," is amended by
14 adding a subsection to read:

15 Section 8. Penalties; Restitution.--* * *

16 (c) Any defendant with a reasonable amount of income in
17 excess of the State established poverty level who qualifies for
18 assistance as provided in this act and is found guilty in any
19 criminal proceeding set forth in section 6, shall, after

1 conviction, sentencing and termination of all post-trial
2 motions, be ordered by the court to pay or attempt to pay 50% of
3 the costs incurred by the public defender. The court may
4 establish any payment schedule it deems appropriate to recover
5 these costs, said schedule not to exceed a term of five years.
6 All payments shall be made to the county treasurer and shall be
7 used to fund the public defender's office.

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