
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2861

Session of
1990

INTRODUCED BY BORTNER, YANDRISEVITS, MELIO, LAUGHLIN, McCALL,
WAMBACH, BOWLEY, BROUJOS, KAISER, HAYDEN, COLE AND STABACK,
JULY 1, 1990

REFERRED TO COMMITTEE ON JUDICIARY, JULY 1, 1990

AN ACT

1 Establishing a fund for drug and alcohol enforcement in school
2 areas; providing for funding for county drug and alcohol
3 treatment, rehabilitation and prevention; providing for
4 surcharges on persons convicted of certain offenses;
5 conferring powers and duties on the Pennsylvania Commission
6 on Crime and Delinquency; and making an appropriation.

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

9 Section 1. Short title.

10 This act shall be known and may be cited as the Drug-Free
11 Zone Enforcement Act.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Commission." The Pennsylvania Commission on Crime and
17 Delinquency.

18 "Fund." The Drug-Free Zone Enforcement Fund established
19 under section 3.

1 Section 3. Fund.

2 (a) Establishment.--The Drug-Free Zone Enforcement Fund is
3 established as a nonlapsing fund.

4 (b) Purpose.--The purpose of the fund is to implement
5 programs to protect school areas from drug and alcohol abuse.

6 (c) Source.--The source of the fund shall be appropriations
7 and 50% of the surcharges under section 4.

8 (d) Administration.--The commission shall administer the
9 fund under section 5.

10 Section 4. Surcharges.

11 (a) Imposition.--The court shall impose a surcharge of \$100,
12 independent of any other fine or costs imposed, upon a defendant
13 who is convicted of or pleads guilty or no contest to any of the
14 following:

15 (1) A violation of section 13 of the act of April 14,
16 1972 (P.L.233, No.64), known as The Controlled Substance,
17 Drug, Device and Cosmetic Act.

18 (2) A violation of 18 Pa.C.S. § 6307 (relating to
19 misrepresentation of age to secure liquor or malt or brewed
20 beverages), 6308 (relating to purchase, consumption,
21 possession or transportation of liquor or malt or brewed
22 beverages), 6309 (relating to representing that minor is of
23 age), 6310 (relating to inducement of minors to buy liquor or
24 malt or brewed beverages), 6310.1 (relating to selling or
25 furnishing liquor or malt or brewed beverages to minors),
26 6310.2 (relating to manufacture or sale of false
27 identification card) or 6310.3 (relating to carrying a false
28 identification card).

29 (b) Exemption from Judicial Computer System Augmentation
30 Account.--The provisions of 42 Pa.C.S. § 3733 (relating to

1 deposits into account) do not apply to surcharges under
2 subsection (a).

3 (c) Disposition.--

4 (1) Fifty percent of the surcharges collected under this
5 section shall be deposited in the fund.

6 (2) Fifty percent of the surcharges collected under this
7 section shall be forwarded to the county-based drug and
8 alcohol administration authority for drug and alcohol
9 treatment, rehabilitation and prevention programs.

10 Section 5. Administration of fund.

11 The money spent each fiscal year shall be for grants to
12 establish drug-free zones within 1,000 feet of the real
13 properties on which are located public, private or parochial
14 schools, colleges or universities. The purposes of grants under
15 this paragraph are to:

16 (1) Coordinate the efforts of community, school and law
17 enforcement officials.

18 (2) Train drug-law enforcement personnel identified
19 through the coordinated efforts under paragraph (1).

20 Section 6. Regulations.

21 The commission may promulgate regulations to administer the
22 fund.

23 Section 7. Appropriation.

24 The sum of \$2,500,000 is hereby appropriated to the
25 Pennsylvania Commission on Crime and Delinquency for the fiscal
26 year July 1, 1990, to June 30, 1991, to be deposited into the
27 fund. This appropriation shall not lapse.

28 Section 8. Effective date.

29 This act shall take effect immediately.