

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1493 Session of
1993

INTRODUCED BY TRICH, STETLER, PISTELLA, DeLUCA, MERRY, KENNEY,
BELARDI, ARMSTRONG, CAPPABIANCA, MANDERINO, STURLA, YEWIC,
COLAIZZO, MELIO, PLATTS, GORDNER, SEMMEL, RAYMOND, FLICK AND
BISHOP, MAY 3, 1993

REFERRED TO COMMITTEE ON JUDICIARY, MAY 3, 1993

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for the
3 utilization of cash from controlled substance forfeitures.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 6801(f) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 6801. Loss of property rights to Commonwealth.

9 * * *

10 (f) Use of cash or proceeds of property.--[Cash or proceeds
11 of forfeited property transferred to the custody of the district
12 attorney pursuant to subsection (e) shall be placed in the
13 operating fund of the county in which the district attorney is
14 elected. The appropriate county authority shall immediately
15 release from the operating fund, without restriction, a like
16 amount for the use of the district attorney enforcing the
17 provisions of The Controlled Substance, Drug, Device and

1 Cosmetic Act. The entity having budgetary control shall not
2 anticipate future forfeitures or proceeds therefrom in adoption
3 and approval of the budget for the district attorney.]

4 (1) Twenty-five percent of all cash forfeited under
5 subsection (e) shall be paid to the Commonwealth for deposit
6 into the General Fund and used to provide funds for the Head
7 Start program and the Women, Infants and Children program.

8 (2) The remaining cash or proceeds of forfeited property
9 transferred to the custody of the district attorney pursuant
10 to subsection (e) shall be placed in the operating fund of
11 the county in which the district attorney is elected. The
12 appropriate county authority shall immediately release from
13 the operating fund, without restriction, a like amount for
14 the use of the district attorney enforcing the provisions of
15 The Controlled Substance, Drug, Device and Cosmetic Act. The
16 entity having budgetary control shall not anticipate future
17 forfeitures or proceeds therefrom in adoption and approval of
18 the budget for the district attorney.

19 * * *

20 Section 2. This act shall take effect July 1, 1993, or in 60
21 days, whichever is later.