

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2467 Session of
2002

INTRODUCED BY G. WRIGHT, BEBKO-JONES, BELFANTI, BUNT, M. COHEN,
COLAFELLA, COY, GEORGE, GRUCELA, HENNESSEY, MCGEEHAN, THOMAS
AND YOUNGBLOOD, MARCH 27, 2002

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 27, 2002

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for the Police
3 Assistance Fund.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 3575. Police Assistance Fund.

9 (a) Fund created.--There is hereby established within the
10 State Treasury a restricted account known as the Police
11 Assistance Fund.

12 (b) Surcharge.--In addition to any fines, fees or penalties
13 levied or imposed as provided by law, under this title or any
14 other statute of the Commonwealth, a surcharge shall be levied
15 for disposition in accordance with subsection (c) as follows:

16 (1) Upon conviction of murder of the first degree or
17 first-degree murder of an unborn child, a surcharge of \$10.

18 (2) Upon conviction of murder of the second degree or

1 second-degree murder of an unborn child, a surcharge of \$9.

2 (3) Upon conviction of murder of the third degree,
3 third-degree murder of an unborn child, or attempt,
4 conspiracy or solicitation to commit murder, where serious
5 bodily injury results, or murder of an unborn child, where
6 serious bodily injury results, a surcharge of \$8.

7 (4) Upon conviction of a felony of the first degree, a
8 surcharge of \$7.

9 (5) Upon conviction of a felony of the second degree, a
10 surcharge of \$6.

11 (6) Upon conviction of a felony of the third degree, a
12 surcharge of \$5.

13 (7) Upon conviction of a misdemeanor of the first
14 degree, a surcharge of \$4.

15 (8) Upon conviction of a misdemeanor of the second
16 degree, a surcharge of \$3.

17 (9) Upon conviction of a misdemeanor of the third
18 degree, a surcharge of \$2.

19 (10) Upon conviction of a summary offense, a surcharge
20 of \$1.

21 (c) Disposition.--

22 (1) Notwithstanding the provisions of sections 3571
23 (relating to Commonwealth portion of fines, etc.) and 3573
24 (relating to municipal corporation portion of fines, etc.),
25 all surcharges levied and collected under subsection (a) by
26 any division of the unified judicial system existing under
27 section 1 of Article V of the Constitution of Pennsylvania
28 and section 301 (relating to unified judicial system) shall
29 be remitted to the Commonwealth for deposit in the Police
30 Assistance Fund established in subsection (a) for the purpose

1 specified in paragraph (2). If the surcharge is being paid in
2 installments, the surcharge shall be remitted on each
3 installment. The surcharges levied and collected under
4 subsection (b) shall not be deposited for the credit or use
5 of, or otherwise allocated, directed or paid to, counties or
6 municipalities under the provisions of Subchapter E of
7 Chapter 35 (relating to fines, etc.), or any other statute,
8 the Bureau of Victims' Services under section 1101(b)(1) of
9 the act of November 24, 1998 (P.L.882, No.111), known as the
10 Crime Victims' Act, the Pennsylvania Commission on Crime and
11 Delinquency for victim-witness services under section
12 1101(b)(2) of the Crime Victims' Act, rape crisis centers,
13 the Emergency Medical Services Operating Fund, domestic
14 violence shelters, the Judicial Computer System Augmentation
15 Account established under Subchapter C of Chapter 37
16 (relating to judicial computer system) or under any other
17 statute.

18 (2) The moneys contained in the Police Assistance Fund
19 are hereby appropriated, upon approval of the Governor, to
20 the several counties of the Commonwealth for the purposes of
21 paying for counseling, marriage and family therapy,
22 psychiatric, psychological and social work services for
23 current and retired police officers who reside within the
24 county.

25 (3) The State Treasurer shall make a monthly payment to
26 each county in the Commonwealth of its proportional share of
27 the moneys paid into the fund during the preceding month.
28 Each county's proportional share shall be calculated by
29 multiplying the moneys paid into the fund during the month by
30 a fraction in which the population of the county as of the

1 last Federal decennial census is the numerator, and the
2 population of the Commonwealth as of the last Federal
3 decennial census is the denominator.

4 (d) Definition.--As used in this section, the term
5 "conviction" includes a conviction, a plea of guilty, and a plea
6 of no contest or nolo contendere.

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