

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2807 Session of
2004

INTRODUCED BY BROWNE, BELFANTI, CAPPELLI, CORRIGAN, CREIGHTON,
GRUCELA, HARHART, HARPER, HESS, HORSEY, KILLION, MANN,
MARSICO, MELIO, PICKETT, SCAVELLO, SEMMEL, E. Z. TAYLOR,
WATSON, YOUNGBLOOD, GEIST AND BENNINGHOFF, JULY 16, 2004

REFERRED TO COMMITTEE ON JUDICIARY, JULY 16, 2004

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, imposing a criminal justice
3 information sharing fee for convictions; and establishing the
4 Criminal Justice Information Sharing Fund.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 1110. Criminal justice information sharing fee.

10 (a) General rule.--Unless the court finds that undue
11 hardship would result, a mandatory fee equal to 5% of the fine
12 imposed but not less than \$10, which shall be in addition to any
13 other costs imposed by law, shall automatically be assessed on
14 any individual convicted, adjudicated delinquent, subject to a
15 consent decree, or granted Accelerated Rehabilitative
16 Disposition or any individual who pleads guilty or nolo
17 contendere for a violation of the act of April 14, 1972
18 (P.L.233, No.64), known as The Controlled Substance, Drug,

Device and Cosmetic Act, this title or 75 Pa.C.S. Ch. 38
(relating to driving after imbibing alcohol or utilizing drugs),
which fee shall be deposited into a special fund in the State
Treasury, to be known as the Criminal Justice Information
Sharing Fund. No more than 5% of the restitution fees collected
shall be retained by the county for its administrative fees
related to collecting the restitution fees for deposit into the
Criminal Justice Information Sharing Fund.

(b) Use of fee.--

(1) The moneys in the Criminal Justice Information
Sharing Fund are hereby appropriated on a continuing basis to
the Pennsylvania Commission on Crime and Delinquency, no more
than 10% of which may be used to reimburse the commission for
the administrative costs directly related to the making of
grants from the Criminal Justice Information Sharing Fund.

(2) After the commission is reimbursed pursuant to
paragraph (1), the commission shall make the remaining funds
available to an entity having a Statewide role in the
education and representation of counties and their elected
officials, for the purpose of redistribution on behalf of the
counties for the coordination, deployment, activation and
administration of a county-based integrated technology system
for county criminal justice information sharing, which may
include the following components:

- (i) criminal case processing;
- (ii) offender processing;
- (iii) victim and witness notification; and
- (iv) homeland security related activities.

(3) Any portion of the balance of the funds that has not
been expended for the purposes contained in this subsection

1 shall be remitted to the commission. Money remitted under
2 this paragraph shall be redistributed to the counties on a
3 competitive grant basis for the purposes delineated in
4 paragraph (2).

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