

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 695 Session of  
2005

INTRODUCED BY BROWNE, THOMAS, BENNINGHOFF, BUXTON, CALTAGIRONE,  
CRAHALLA, GEIST, GEORGE, GRUCELA, HENNESSEY, JAMES, KILLION,  
MACKERETH, PETRI, QUIGLEY, SCAVELLO, SCHRODER, SEMMEL, WALKO,  
WATSON, YOUNGBLOOD, HARPER AND ROSS, MARCH 1, 2005

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 1, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, establishing the Criminal  
3 Justice System Enhancement Account; providing for utilization  
4 of money in the account; establishing a criminal justice  
5 system enhancement fee; and imposing powers and duties on the  
6 Department of Community and Economic Development.

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

9 Section 1. Chapter 37 of Title 42 of the Pennsylvania  
10 Consolidated Statutes is amended by adding a subchapter to read:

11 SUBCHAPTER D

12 CRIMINAL JUSTICE SYSTEM ENHANCEMENT

13 Sec.

14 3741. Establishment of restricted receipt account.

15 3742. Utilization of funds in account.

16 3743. Deposits into account.

17 § 3741. Establishment of restricted receipt account.

18 There is hereby established within the General Fund a  
19 restricted receipt account to be known as the Criminal Justice

1 System Enhancement Account.

2 § 3742. Utilization of funds in account.

3 All moneys deposited into the Criminal Justice System  
4 Enhancement Account are appropriated to the Department of  
5 Community and Economic Development and shall be used to make  
6 grants for the following purposes:

7 (1) Thirty-five percent of available funds to law  
8 enforcement agencies to maintain arrest and arraignment  
9 systems and future criminal data systems and services. Funds  
10 received under this paragraph which are unused as of the end  
11 of the grant period shall be returned to the Department of  
12 Community and Economic Development and redistributed to other  
13 grantees under this paragraph.

14 (2) Sixty-five percent of available funds to the  
15 Pennsylvania Commission for Community Colleges or any  
16 successor organization for enhancement of local criminal  
17 justice system policies, procedures and work processes, which  
18 may include criminal case processing, offender processing,  
19 victim and witness notification and activities related to  
20 homeland security. Funds received under this paragraph which  
21 are unused as of the end of the grant period shall be  
22 returned to the Department of Community and Economic  
23 Development and redistributed to other grantees under this  
24 paragraph.

25 § 3743. Deposits into account.

26 Unless the court finds that undue hardship would result, a  
27 mandatory fee of \$20, which shall be in addition to any other  
28 costs imposed by law, shall be assessed automatically on any  
29 individual convicted, granted Accelerated Rehabilitative  
30 Disposition or pleading guilty or nolo contendere to violating

1 the act of April 14, 1972 (P.L.233, No.64), known as The  
2 Controlled Substance, Drug, Device and Cosmetic Act, 18 Pa.C.S.  
3 (relating to crimes and offenses) or 75 Pa.C.S. Ch. 38 (relating  
4 to driving after imbibing alcohol or utilizing drugs). The fee  
5 shall be deposited into the Criminal Justice System Enhancement  
6 Account. Up to 5% of the fee may be retained by the county for  
7 administrative costs related to collecting the fee.

8 Section 2. This act shall take effect immediately.