

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1140 Session of  
2006INTRODUCED BY REGOLA, ORIE, RAFFERTY, PILEGGI, LEMMOND, PICCOLA,  
ERICKSON AND ROBBINS, MARCH 17, 2006

AS AMENDED ON THIRD CONSIDERATION, OCTOBER 18, 2006

## AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, imposing a central or  
3 regional booking fee on criminal convictions to fund the  
4 start-up, operation or maintenance of a central or regional  
5 booking center; AND PROVIDING FOR A COUNTYWIDE BOOKING CENTER <—  
6 PLAN.

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

9 Section 1. Title 42 of the Pennsylvania Consolidated  
10 Statutes is amended by adding ~~a section~~ SECTIONS to read: <—

11 ~~§ 1725.5. Central or regional booking fee.~~ <—

12 § 1725.5. BOOKING CENTER FEE. <—

13 (a) Imposition.--A FOLLOWING THE ADOPTION OF A COUNTYWIDE <—

14 BOOKING CENTER PLAN, A person may, in addition to any other

15 finer, penalties or costs imposed by law, be required by the

16 court to pay a central or regional booking BOOKING CENTER FUND <—

17 OR ACCOUNT fee of no more than \$200 if the person:

18 (1) Is placed on probation without verdict pursuant to

19 section 17 of the act of April 14, 1972 (P.L.233, No.64),

1 known as The Controlled Substance, Drug, Device and Cosmetic  
2 Act.

3 (2) Receives Accelerated Rehabilitative Disposition for,  
4 pleads guilty to or nolo contendere to, or is convicted of a  
5 crime under the following:

6 (i) 18 Pa.C.S. § 106(a) (relating to classes of  
7 offenses).

8 (ii) 75 Pa.C.S. § 3735 (relating to homicide by  
9 vehicle while driving under influence).

10 (iii) 75 Pa.C.S. § 3802 (relating to driving under  
11 influence of alcohol or controlled substance).

12 (iv) A violation of The Controlled Substance, Drug,  
13 Device and Cosmetic Act.

14 (b) Disposition.--The fee under subsection (a) shall be paid  
15 to the county and deposited into a special central or regional  
16 booking fund established in each county. Moneys in the special  
17 fund shall be used solely for the IMPLEMENTATION OF A COUNTYWIDE <—  
18 BOOKING CENTER PLAN UNDER SECTION 1725.6 (RELATING TO COUNTYWIDE  
19 BOOKING CENTER PLAN) AND THE start-up, operation or maintenance  
20 of a ~~central or regional~~ booking center. <—

21 (c) Other laws.--The ~~central or regional booking~~ BOOKING <—  
22 CENTER fee shall be imposed notwithstanding any other provision  
23 of law to the contrary.

24 § 1725.6. COUNTYWIDE BOOKING CENTER PLAN. <—

25 (A) DEVELOPMENT.--A COURT IN A COUNTY THAT HAS DEVELOPED AND  
26 ADOPTED A COUNTYWIDE BOOKING CENTER PLAN MAY IMPOSE THE FEE  
27 ESTABLISHED UNDER SECTION 1725.5 (RELATING TO BOOKING CENTER  
28 FEE). A COUNTY WITH A CRIMINAL JUSTICE ADVISORY BOARD SHALL  
29 DEVELOP THE PLAN IN CONJUNCTION WITH THE CRIMINAL JUSTICE  
30 ADVISORY BOARD. A COUNTY THAT DOES NOT HAVE A CRIMINAL JUSTICE

1 ADVISORY BOARD SHALL DEVELOP THE PLAN IN CONJUNCTION WITH THE  
2 DISTRICT ATTORNEY, LOCAL POLICE DEPARTMENTS AND MUNICIPALITIES  
3 WITHIN THE COUNTY.

4 (B) REQUIREMENTS.--THE PLAN ADOPTED UNDER SUBSECTION (A)  
5 SHALL DO ALL OF THE FOLLOWING:

6 (1) ENSURE COORDINATION AND COLLABORATION OF ALL  
7 CRIMINAL JUSTICE AGENCIES WITHIN THE COUNTY.

8 (2) COMPLY WITH ALL APPLICABLE FEDERAL AND STATE  
9 TECHNOLOGY STANDARDS FOR THE COLLECTION AND TRANSMISSION OF  
10 OFFENDER IDENTIFICATION INFORMATION.

11 (3) MAKE RECOMMENDATIONS REGARDING THE NUMBER, FUNDING  
12 AND OPERATIONS OF BOOKING CENTERS WITHIN THE COUNTY. THE PLAN  
13 SHALL PRIORITIZE THE RECOMMENDATIONS.

14 (C) SUBMISSION.--THE PLAN SHALL BE SUBMITTED TO THE  
15 PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY FOR REVIEW AND  
16 CERTIFICATION THAT THE PLAN COMPLIES WITH THE REQUIREMENTS OF  
17 SUBSECTION (B)(2).

18 (D) LIMITATION ON DISBURSEMENT.--NO FUNDS MAY BE DISBURSED  
19 FROM THE FUND OR ACCOUNT ESTABLISHED UNDER SECTION 1725.5 FOR  
20 START-UP, OPERATION OR MAINTENANCE OF A BOOKING CENTER UNLESS  
21 THE PLAN HAS BEEN CERTIFIED BY THE COMMISSION.

22 (E) DUTIES OF COMMISSION.--THE PENNSYLVANIA COMMISSION ON  
23 CRIME AND DELINQUENCY SHALL DO ALL OF THE FOLLOWING:

24 (1) DETERMINE AND CERTIFY IF A COUNTYWIDE BOOKING CENTER  
25 PLAN SUBMITTED BY A COUNTY CRIMINAL JUSTICE ADVISORY BOARD OR  
26 THE COUNTY COMMISSIONERS COMPLIES WITH SUBSECTION (B)(2).

27 (2) ADOPT GUIDELINES RELATING TO TECHNOLOGY STANDARDS  
28 FOR THE COLLECTION AND TRANSMISSION OF OFFENDERS'  
29 IDENTIFICATION. THE GUIDELINES SHALL BE PUBLISHED IN THE  
30 PENNSYLVANIA BULLETIN.

1       (F) IMPLEMENTATION.--FOLLOWING CERTIFICATION BY THE  
2 PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY UNDER  
3 SUBSECTION (E), THE COUNTY MAY APPROPRIATE MONEYS IN THE SPECIAL  
4 CENTRAL OR REGIONAL BOOKING FUND OR ACCOUNT TO IMPLEMENT THE  
5 PLAN TO THE GREATEST EXTENT POSSIBLE.

6       (G) LIMITATION.--NO MORE THAN 5% OF MONEYS IN THE SPECIAL  
7 CENTRAL OR REGIONAL BOOKING FUND OR ACCOUNT MAY BE APPROPRIATED  
8 BY THE COUNTY FOR THE COUNTY'S ADMINISTRATIVE COSTS RELATED TO  
9 THE COLLECTION OF THE FEE UNDER SECTION 1725.5.

10       (H) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
11 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
12 SUBSECTION:

13       "BOOKING CENTER." A FACILITY UTILIZED FOR THE PROCESSING AND  
14 IDENTIFICATION OF INDIVIDUALS ARRESTED, CHARGED OR ACCUSED OF A  
15 CRIME.

16       "COUNTY CRIMINAL JUSTICE ADVISORY BOARD." A COUNTY CRIMINAL  
17 JUSTICE PLANNING BOARD WHICH MEETS THE MINIMUM STANDARD FOR  
18 THOSE BOARDS ESTABLISHED BY THE PENNSYLVANIA COMMISSION ON CRIME  
19 AND DELINQUENCY.

20       "COUNTYWIDE BOOKING CENTER PLAN." A WRITTEN PLAN THAT  
21 INCLUDES A COMPREHENSIVE STRATEGY TO IMPROVE THE COLLECTION,  
22 TRANSFER AND MAINTENANCE OF ELECTRONIC OFFENDER IDENTIFICATION  
23 INFORMATION.

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