

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2255 Session of
2008

INTRODUCED BY CUTLER, BEYER, BOYD, FREEMAN, HENNESSEY,
HUTCHINSON, KORTZ, MACKERETH, MARSHALL, McILVAINE SMITH,
MENSCH, PASHINSKI, PYLE, ROSS, RUBLEY, SAYLOR, STERN, TRUE,
TURZAI, WALKO, J. TAYLOR AND GEIST, MARCH 6, 2008

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 6, 2008

AN ACT

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

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

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

7 § 915. Drug courts.

8 (a) Establishment.--The court of common pleas of a judicial
9 district and the Municipal Court of Philadelphia may establish a
10 drug court as a special criminal docket whereby defendants are
11 admitted to a court-supervised individualized drug treatment
12 program. The court may adopt local rules for the administration
13 of the drug court and its related treatment services. The local
14 rules may not be inconsistent with this section or any rules
15 established by the Supreme Court.

16 (b) Statewide drug court coordinator.--The Supreme Court may
17 appoint a Statewide drug court coordinator. The Statewide drug

1 court coordinator may:

2 (1) Encourage and assist in the establishment of a drug
3 court in each judicial district.

4 (2) Identify sources of funding for drug courts and
5 their related treatment services, including the availability
6 of grants.

7 (3) Provide coordination and technical assistance for
8 grant applications.

9 (4) Develop model guidelines for the administration of
10 drug courts and their related treatment services.

11 (5) Establish procedures for monitoring drug courts and
12 their related treatment services and for evaluating the
13 effectiveness of drug courts and their related treatment
14 services.

15 (c) Advisory committee.--The Supreme Court may establish an
16 interdisciplinary and interbranch advisory committee to advise
17 and assist the Statewide drug court coordinator in monitoring
18 and administering drug courts Statewide.

19 (d) Imposition of surcharge.--A defendant convicted of a
20 drug or alcohol-related offense in a judicial district in which
21 the court has established a drug court may be ordered by the
22 court to pay a surcharge of \$25 which shall be collected in the
23 same manner as other court costs. In addition to any grants or
24 other money that may become available through public or private
25 sources, the money collected through this surcharge shall be
26 used by the county to fund the drug court and its related
27 treatment services.

28 (e) Definitions.--As used in this section, the following
29 words and phrases shall have the meanings given to them in this
30 subsection:

1 "Drug or alcohol-related offense." A criminal offense that
2 the court determines was motivated by the defendant's
3 consumption of or addiction to alcohol or a controlled
4 substance, counterfeit, designer drug, drug, immediate precursor
5 or marihuana, as those terms are defined in the act of April 14,
6 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,
7 Device and Cosmetic Act.

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