
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2864 Session of
2020

INTRODUCED BY RABB, BURGOS, HILL-EVANS, GREEN, ROZZI AND LEE,
SEPTEMBER 15, 2020

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 15, 2020

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in forfeiture of assets,
3 further providing for asset forfeiture.

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

6 Section 1. Section 5803(g) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5803. Asset forfeiture.

9 * * *

10 (g) Use of cash or proceeds of property.--Cash or proceeds
11 of property, subject to forfeiture under section 5802 and
12 transferred to the custody of the district attorney under
13 subsection (f) shall be placed in the [operating fund of the
14 county in which the district attorney is elected. The
15 appropriate county authority shall immediately release from the
16 operating fund, without restriction, a like amount for the use
17 of the district attorney for the enforcement of or prevention of
18 a violation of the provisions of The Controlled Substance, Drug,

1 Device and Cosmetic Act. The funds shall be maintained in an
2 account or accounts separate from other revenues of the office.
3 The entity having budgetary control shall not anticipate future
4 forfeitures or proceeds from future forfeitures in adoption and
5 approval of the budget for the district attorney.] First Chance
6 Trust Fund established under section 1753-A.1 of the act of
7 April 9, 1929 (P.L.343, No.176), know as The Fiscal Code. Cash
8 or proceeds under this section shall be used to provide an
9 individual who is exonerated or the estate of an individual who
10 is exonerated, if exonerated posthumously, from each county with
11 an annual monetary relief amount.

12 * * *

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