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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1503 Session of  
2021

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INTRODUCED BY DELOZIER, JAMES, JOZWIAK, MILLARD, MOUL, ROWE,  
RYAN AND WHEELAND, JUNE 1, 2021

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REFERRED TO COMMITTEE ON JUDICIARY, JUNE 1, 2021

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in bonds and  
3 recognizances, further providing for bail to be governed by  
4 general rules.

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

7 Section 1. Section 5702 of Title 42 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 5702. Bail to be governed by general rules.

10 (a) General rule.--Except as otherwise provided by this  
11 title and the laws relating to the regulation of surety  
12 companies, all matters relating to the fixing, posting,  
13 forfeiting, exoneration and distribution of bail and  
14 recognizances shall be governed by general rules.

15 (b) Use of cash bail.--

16 (1) In a case in which the defendant is the named  
17 depositor, any cash bail deposited by the defendant which is  
18 otherwise returnable to the defendant shall be held and  
19 applied to the payment of any restitution, fees, fines and

1 costs imposed upon the defendant in connection with a  
2 criminal or delinquency case unless the defendant shows that  
3 the defendant would suffer an undue hardship.

4 (2) In a case in which the defendant is not the named  
5 depositor, the court may order, upon motion of the attorney  
6 for the Commonwealth, that any cash bail deposited on behalf  
7 of the defendant which is otherwise returnable to the  
8 depositor be held and applied to the payment of any  
9 restitution, fees, fines and costs imposed upon the defendant  
10 in connection with a criminal or delinquency case unless the  
11 depositor shows that the depositor would suffer an undue  
12 hardship.

13 (c) Notice.--Written notice of the provisions of subsection  
14 (b) shall be provided to a depositor prior to the acceptance of  
15 a deposit of cash bail.

16 Section 2. This act shall take effect in 180 days.