



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 123

PRINTERS NO. 2253

PRIME SPONSOR: Delozier

COST / (SAVINGS)

FUND	FY 2015/16	FY 2016/17
General Fund	\$0	\$0

SUMMARY:

House Bill 123 amends the Judicial Code concerning bail monies. It would take effect in 60 days.

ANALYSIS:

This legislation makes changes to the general rules governing bail in the Judicial Code. It creates two separate processes when cash bail is posted for a defendant. If the defendant posts the cash bail, the amount otherwise returnable shall be used to pay and satisfy any outstanding restitution, fees, fines and costs owed by the defendant in connection with any criminal or delinquency case. If a third party posts the cash bail, the attorney for the Commonwealth must file a motion seeking to deduct restitution obligations prior to return. Under both scenarios, the court can stop the deduction if the depositor can demonstrate to the court's satisfaction that he or she would suffer undue hardship if the full amount were not returned. Written notice of these provisions must be provided to a depositor prior to the acceptance of a deposit.

FISCAL IMPACT:

Enactment of this legislation will have no adverse impact on Commonwealth funds. This method for promoting the payment of court costs and fees, fines, and victim restitution, is used in several other states and may aid counties in the collection of this revenue.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: September 30, 2015

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.