

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 1120

PRINTER NO. 1644

AMOUNT

No Fiscal Impact

FUND

Judicial Computer System
Augmentation Restricted Receipt
Account

DATE INTRODUCED

April 17, 2020

PRIME SPONSOR

Senator Baker

DESCRIPTION

Senate Bill 1120 amends Title 42 (Judiciary and Judicial Procedure) adding a new subsection providing for payment of court costs, restitution and fines during judicial emergencies.

This legislation adds a new subsection (c) (Judicial Emergencies) to section 9730 (providing for payment of court costs, restitution and fines). The new subsection provides that during the time of a judicial emergency declared under Article V of the Pennsylvania Constitution, a commonwealth law, a rule of court, or other judicial order by the Supreme Court or any agency or unit of the unified judicial system, the failure to pay court costs, restitution or fines otherwise due during the judicial emergency shall not be considered a default for the purposes of section 9730.

Additionally, the legislation provides that a defendant shall have an additional 30 days after the expiration of the judicial emergency to pay court costs, restitution or fines otherwise due.

This subsection shall apply to any judicial district for which a judicial emergency is declared. If a statewide judicial emergency is declared by a governing authority, this subsection shall apply to all judicial districts.

This new subsection shall be retroactive to March 18, 2020, to provide for the current judicial emergency due to the COVID-19 pandemic.

This act shall take effect immediately.

FISCAL IMPACT:

The Supreme Court of Pennsylvania has stated that during a judicial emergency a failure to pay fines or costs is not a default. This legislation simply codifies this intent, providing parties an additional 30 days for payments to be made after the expiration of a judicial emergency.

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

According to the Administrative Office of Pennsylvania Courts (AOPC), payments made under section 9730 would be delayed, but not dismissed. Therefore, enactment of this legislation will have no fiscal impact on Commonwealth funds but may result in delays of receiving revenue.