

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 516

PRINTER NO. 802

AMOUNT

See Fiscal Impact

FUND

General Fund
Motor License Fund
Local Government Funds
Access to Justice Account
Judicial Computer System Augmentation Account

DATE INTRODUCED

April 1, 2021

PRIME SPONSOR

Senator Browne

DESCRIPTION

Senate Bill 516 amends Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for payment of court costs, restitution and fines.

This legislation amends § 9730 (relating to payment of court costs, restitution and fines) of Title 42 to provide that if a defendant fails to appear at a financial determination hearing, the issuing authority, senior judge or senior magisterial district judge may turn the delinquent account over to a private collection agency or the county’s collection enforcement unit.

This act shall take effect in 120 days.

FISCAL IMPACT:

According to the Administrative Office of Pennsylvania Courts (AOPC), there are currently 65,382 dockets with an outstanding balance due. This also includes cases in which a failure to appear warrant has been issued or no payments have been made. The total outstanding amount due, which has accumulated over numerous years, is \$16,317,927. From 2017 through 2019, the outstanding amount due has increased by approximately \$1.6 million annually. The majority of these outstanding fines are for violations of the Vehicle Code. Vehicle Code-related fines and costs consist of the following:

- Traffic surcharge: \$45 to \$450. The majority of these surcharges are \$45;
- Costs: \$42 or \$51 if a hearing is requested. These funds are distributed as follows:
 - \$19 to the Commonwealth; and
 - \$23 to the local government in which the violation occurred.

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- Fine: \$25 and greater. These funds are distributed to the Commonwealth, counties and municipalities based on the type of violation, the law enforcement agency involved and the location of the offense;
- Emergency Medical Service Fee (EMS): \$10 is collected to support EMS systems serving rural areas throughout the Commonwealth and the Catastrophic Medical and Rehabilitation Fund for victims of traumatic injury;
- Access to Justice Account: \$4 is collected to provide legal representation to the poor in civil cases; and
- Judicial Computer System Augmentation Account (JCS): \$8 is collected to support the operation and continued development of the statewide Judicial Computer System.

Assuming 25% of the above-mentioned dockets are sent to collections and successfully collected, this would generate one-time revenue of \$4,079,482 and \$400,000 annually thereafter to be distributed to all of the following:

- General Fund;
- Motor License Fund;
- Local Government Funds;
- Access to Justice Account; and
- Judicial Computer System Augmentation Account.

Enactment of this legislation provides an additional enforcement tool to the courts that may result in additional funds being collected for fines, court costs and restitution to victims.