

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1967 Session of
2001

INTRODUCED BY CALTAGIRONE, THOMAS, CORRIGAN, GEORGE, JAMES,
LEVDANSKY, SHANER, SURRA, TRICH, KAISER, MELIO AND
YOUNGBLOOD, SEPTEMBER 26, 2001

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 26, 2001

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, creating the Bail
3 Enforcement Disciplinary and Performance Review Board; and
4 prescribing its powers and duties.

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

7 Section 1. Chapter 21 of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER G

10 BAIL ENFORCEMENT DISCIPLINARY AND

11 PERFORMANCE REVIEW BOARD

12 Sec.

13 2161. Bail Enforcement Disciplinary and Performance Review
14 Board.

15 2162. Composition of Bail Enforcement Disciplinary and
16 Performance Review Board.

17 2163. Organization.

18 2164. Staff.

1 2165. Powers and duties.

2 § 2161. Bail Enforcement Disciplinary and Performance Review
3 Board.

4 A Bail Enforcement Disciplinary and Performance Review Board
5 is hereby established in the judicial branch. The board shall
6 have a seal engraved with its name and such other inscription as
7 may be necessary. A facsimile or preprinted seal may be used for
8 all purposes in lieu of the original seal.

9 § 2162. Composition of Bail Enforcement Disciplinary and
10 Performance Review Board.

11 (a) General rule.--The Bail Enforcement Disciplinary and
12 Performance Review Board shall consist of:

13 (1) A judge of the Superior Court in regular active
14 service appointed by the Supreme Court.

15 (2) A district justice, who need not be a member of the
16 bar of this Commonwealth, appointed by the Supreme Court.

17 (3) A nonjudge member of the bar of this Commonwealth
18 appointed by the Supreme Court.

19 (4) A nonlawyer elector appointed by the Supreme Court.

20 (5) A judge of a court of common pleas in regular active
21 service appointed by the Governor.

22 (6) Two nonjudge members of the bar of this Commonwealth
23 appointed by the Governor.

24 (7) A nonlawyer elector appointed by the Governor.

25 (b) Qualifications.--All members of the board must be
26 residents of this Commonwealth. No more than two of the four
27 members appointed by the Supreme Court may be registered in the
28 same political party. No more than two of the four members
29 appointed by the Governor may be registered in the same
30 political party. Membership of a judge or district justice shall

1 terminate if the member ceases to hold the judicial position
2 that qualified the member for the appointment. Membership shall
3 terminate if a member attains a position that would have
4 rendered the member ineligible for appointment at the time of
5 the appointment. A person may not serve more than four
6 consecutive years but may be reappointed after a lapse of one
7 year.

8 (c) Terms of office.--Members shall serve for terms of four
9 years.

10 (d) Vacancies.--A vacancy shall be filled by the respective
11 appointing authority for the remainder of the term to which the
12 member was appointed.

13 (e) Restrictions on activities of members.--No member,
14 during the member's term, may hold office in a political party
15 or political organization. Except for a judicial member, no
16 member, during the member's term, may hold a compensated public
17 office or public appointment.

18 (f) Expenses.--All members shall be reimbursed for expenses
19 necessarily incurred in the discharge of their official duties.

20 § 2163. Organization.

21 The Bail Enforcement Disciplinary and Performance Review
22 Board shall elect a chairperson annually and shall act in all
23 matters only with the concurrence of a majority of its members.

24 § 2164. Staff.

25 The administrative office shall provide such staff assistance
26 as the Bail Enforcement Disciplinary and Performance Review
27 Board may require.

28 § 2165. Powers and duties.

29 The Bail Enforcement Disciplinary and Performance Review
30 Board shall have the power to:

1 (1) Review bail officer performance evaluations
2 submitted by bondsmen under Subchapter C of Chapter 57
3 (relating to bail enforcement officers).

4 (2) Maintain bail enforcement officer licensing records.

5 (3) Receive, process and adjudicate complaints regarding
6 acts of bail enforcement officers in the performance of duty.

7 (4) Take disciplinary action against bail enforcement
8 officers when necessary.

9 (5) Exercise additional powers and perform additional
10 duties vested in and imposed by law.

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