

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 775 Session of 2005

INTRODUCED BY GREENLEAF, COSTA, LEMMOND, O'PAKE, RAFFERTY, STACK, ERICKSON AND FERLO, JUNE 17, 2005

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 5, 2006

AN ACT

1 Amending the act of June 19, 2002 (P.L.377, No.56), entitled "An
2 act authorizing the Commonwealth of Pennsylvania to join the
3 Interstate Compact for the Supervision of Adult Offenders;
4 providing for the form of the compact; imposing additional
5 powers and duties on the Governor, the Secretary of the
6 Commonwealth and the Compact Administrator; and making a
7 repeal," establishing the Interstate Compact for the
8 Supervision of Adult Offenders Fund; imposing an application
9 fee; providing for the collection of the application fee;
10 imposing additional powers and duties on the State Council
11 for Interstate Adult Offender Supervision, including the
12 distribution of the moneys in the fund; IMPOSING AN
13 APPLICATION FEE; PROVIDING FOR THE COLLECTION AND THE USE OF
14 THE APPLICATION FEE; and providing for definitions.

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15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. The act of June 19, 2002 (P.L.377, No.56), known
18 as the Interstate Compact for the Supervision of Adult Offenders
19 Act, is amended by adding a section to read:

20 Section 4.1. Interstate Compact for the Supervision of Adult
21 Offenders Fund FEE.

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22 (a) Fund established. The Interstate Compact for the
23 Supervision of Adult Offenders Fund is hereby established as a

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1 ~~restricted receipts account within the General Fund. Moneys from~~  
2 ~~the fund shall be used exclusively for the purposes described in~~  
3 ~~this section.~~

4 ~~(b)~~ (A) Application fee.-- ←

5 (1) Any person on county probation or parole who applies  
6 for a transfer of supervision to another state through the  
7 interstate compact shall be required to pay an application  
8 fee with each application for transfer, unless the court  
9 finds that the application fee should be reduced, waived or  
10 deferred based upon the person's inability to pay. All such  
11 application fees shall be collected by the county probation  
12 department or other agent designated by the county  
13 commissioners of the county with the approval of the  
14 president judge.

15 (2) Any person on State probation or parole who applies  
16 for a transfer to another state through the interstate  
17 compact shall be required to pay an application fee to the  
18 board with each application for transfer, unless the board  
19 finds that the application fee should be reduced, waived or  
20 deferred based upon the person's inability to pay.

21 ~~(e)~~ (B) Amount of application fee.--The State council shall ←  
22 establish the amount of the application fee but the fee shall  
23 not exceed \$150. The application fee shall be nonrefundable. The  
24 application fee shall be assessed for each application for  
25 transfer to another state.

26 ~~(d)~~ (C) Application fee collected by county.--For ←  
27 administrative expenses, the county shall be entitled to retain  
28 a percentage of each application fee collected under this  
29 section, which shall be deposited in the county's general fund.  
30 The percentage of the application fee that may be retained shall

1 be determined by the State council 60 days prior to the  
2 beginning of each Commonwealth fiscal year commencing on July 1  
3 and ending on June 30. All of the remaining portion of each  
4 application fee collected by the county shall be deposited into <—  
5 the fund.

6 ~~(c) Application fee collected by board. All of each~~  
7 ~~application fee collected by the board under this section shall~~  
8 ~~be deposited into the fund.~~

9 ~~(f) Disbursement. The State council shall allocate and~~  
10 ~~disburse the moneys in the fund to offset or pay for the:~~

11 ~~(1) Annual assessments on the Commonwealth for~~  
12 ~~participation in the interstate compact.~~

13 ~~(2) Administrative and operational expenses incurred~~  
14 ~~because of the Commonwealth's participation in the interstate~~  
15 ~~compact.~~

16 ~~(3) Fines, fees or costs imposed by the interstate~~  
17 ~~commission pursuant to the interstate compact.~~

18 TRANSMITTED TO THE COMMONWEALTH UNDER SUBSECTION (D). <—

19 (D) DISPOSITION.--MONEYS RECEIVED FROM THE COLLECTION OF THE  
20 APPLICATION FEE SHALL BE PAID INTO THE STATE TREASURY AND SHALL  
21 BE CREDITED TO THE GENERAL GOVERNMENT OPERATIONS OF THE BOARD  
22 FOR EXPENSES INCURRED IN THE ADMINISTRATION OF THE COMPACT.

23 ~~(g)~~ (E) Definitions.--As used in this section, the following <—  
24 words and phrases shall have the meanings given to them in this  
25 subsection:

26 "Board." The Pennsylvania Board of Probation and Parole.

27 ~~"Fund." The Interstate Compact for the Supervision of Adult~~ <—  
28 ~~Offenders Fund.~~

29 "Interstate commission." The Interstate Commission for Adult  
30 Offender Supervision.

1       "Interstate compact." The Interstate Compact for the  
2 Supervision of Adult Offenders.

3       "State." A state of the United States, the District of  
4 Columbia and any other territorial possessions of the United  
5 States.

6       "State council." The State Council for Interstate Adult  
7 Offender Supervision.

8       Section 2. This act shall apply to any person who applies on  
9 or after the effective date of this act for a transfer of  
10 supervision to another state.

11       Section 3. This act shall take effect in 60 days.