

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1434 Session of
1993

INTRODUCED BY WILLIAMS, RAYMOND, COY, ROONEY, GIGLIOTTI, DeLUCA,
STURLA, MICOZZIE, SCHEETZ, FARGO, BAKER AND LEDERER,
APRIL 27, 1993

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 27, 1993

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for inquiry as
3 to the source of security for bail in drug offenses.

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

6 Section 1. Chapter 57 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 CHAPTER 57

9 BONDS AND RECOGNIZANCES

10 * * *

11 SUBCHAPTER C

12 SPECIAL PROVISIONS

13 Sec.

14 5761. Bail in drug offenses.

15 § 5761. Bail in drug offenses.

16 (a) Inquiry as to source.--When fixing and accepting bail
17 for a person charged with a violation of the act of April 14,
18 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,

1 Device and Cosmetic Act, the district justice or judge shall
2 demand to know the source of the currency, bonds, realty or
3 funds used for the procurement of a surety bond of a
4 professional bondsman, as the case may be, being posted by the
5 defendant or a surety.

6 (b) Drug proceeds unacceptable.--If the district justice or
7 judge has reasonable cause to believe that bail is being
8 financed from funds derived from violations of The Controlled
9 Substance, Drug, Device and Cosmetic Act, the security shall not
10 be accepted, and other security shall be required for the
11 defendant to be admitted to bail.

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