

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1080 Session of  
2003

INTRODUCED BY TANGRETTI, ROSS, COY, DALLY, BELARDI, BELFANTI,  
BROWNE, BUNT, CAPPELLI, CAWLEY, CIVERA, CORRIGAN, CRUZ,  
DAILEY, DALEY, DeWEESE, FRANKEL, FREEMAN, GEIST, GRUCELA,  
HARHAI, HARHART, HENNESSEY, HORSEY, KOTIK, LAUGHLIN, MARSICO,  
McCALL, McGEEHAN, R. MILLER, PISTELLA, READSHAW, SHANER,  
SOLOBAY, STURLA, THOMAS AND WANSACZ, APRIL 8, 2003

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 8, 2003

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, imposing surcharges on  
3 criminal convictions to fund start-up costs for  
4 municipalities desiring to create police departments; and  
5 establishing the Municipal Police Start-up Fee Fund.

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

8 Section 1. Title 42 of the Pennsylvania Consolidated  
9 Statutes is amended by adding a section to read:

10 § 1725.5. Municipal police start-up fee.

11 (a) Imposition of municipal police start-up fee.--A person  
12 who is placed on probation without verdict pursuant to section  
13 17 of the act of April 14, 1972 (P.L.233, No.64), known as The  
14 Controlled Substance, Drug, Device and Cosmetic Act, or who  
15 receives Accelerated Rehabilitative Disposition or who pleads  
16 guilty to or nolo contendere to or who is convicted of a crime  
17 as defined in 18 Pa.C.S. § 106 (relating to classes of offenses)

1 or 75 Pa.C.S. § 3731 (relating to driving under influence of  
2 alcohol or controlled substance) or 3735 (relating to homicide  
3 by vehicle while driving under influence) or a violation of The  
4 Controlled Substance, Drug, Device and Cosmetic Act shall, in  
5 addition to any fines, penalties or costs, in every case be  
6 sentenced to pay a municipal police start-up fee.

7 (b) Amount of municipal police start-up fee.--Where, in  
8 accordance with subsection (a), probation is imposed, a plea is  
9 entered, or conviction obtained for a felony, the fee shall be  
10 \$50; and where, in accordance with subsection (a), probation is  
11 imposed, a plea is entered, or conviction is obtained for  
12 misdemeanor, the fee shall be \$25.

13 (c) Disposition of municipal police start-up fee.--The  
14 municipal police start-up fee shall be paid into a special  
15 nonlapsing fund of the State Treasury, which is hereby  
16 established and shall be known as the Municipal Police Start-up  
17 Fee Fund. Money in the Municipal Police Start-up Fee Fund is  
18 hereby appropriated to the Department of Community and Economic  
19 Development and shall be used solely for providing grants to  
20 municipalities which do not have a municipal police department,  
21 do not participate in a regional police department, and do not  
22 purchase police services from another municipal or regional  
23 entity, which grants are to be used for the purpose of providing  
24 start-up or seed money to qualifying municipalities that wish to  
25 establish a municipal police department, join a regional police  
26 department, or purchase police services from another municipal  
27 or regional entity.

28 (d) Other laws.--The municipal police start-up fee shall be  
29 imposed notwithstanding any other provision of law to the  
30 contrary.

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