

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2930 Session of
2006

INTRODUCED BY GINGRICH, BELFANTI, CRAHALLA, FLAHERTY, HARRIS,
HENNESSEY, McILHATTAN, R. MILLER, RUBLEY, SCAVELLO, STERN,
PICKETT, E. Z. TAYLOR AND O'NEILL, SEPTEMBER 25, 2006

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 25, 2006

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 constable fees.

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

6 Section 1. Section 2950(g) of Title 42 of the Pennsylvania
7 Consolidated Statutes, amended November 30, 2004 (P.L.1618,
8 No.207) and June 29, 2006 (P.L.277, No.59), is amended to read:
9 § 2950. Fees.

10 * * *

11 (g) Criminal cases.--Fees in criminal cases shall be as
12 follows:

13 (1) For executing [each] a warrant of arrest, or for
14 effectuating the payment of fines and costs by attempting to
15 execute [each] a warrant of arrest, \$25 [for each docket
16 number] per warrant and \$2.50 for each return of service,
17 plus mileage.

18 (2) For taking custody of a defendant, \$5 per defendant.

1 (3) For conveyance of defendant to or from court, \$5 per
2 defendant.

3 (4) For attendance at arraignment or hearing, \$13.

4 (5) For executing discharge, \$5 per defendant.

5 (6) For executing commitment, \$5 per defendant.

6 (7) For executing release, \$5 per defendant.

7 (8) For making returns to the court, \$2.50.

8 (9) Transporting each nonincarcerated defendant to jail,
9 \$17, plus mileage; transporting an incarcerated prisoner, \$38
10 per prisoner, plus an hourly rate of \$13 per hour, plus
11 mileage. Computation of hourly rate will apply after the
12 expiration of the first hour per prisoner per hour, not to
13 exceed \$26 per hour per constable.

14 (10) Receipt of the fees for transporting a
15 nonincarcerated defendant under paragraph (9) shall not
16 exclude receipt of the fees under paragraphs (6) and (8) for
17 that transport.

18 (11) Receipt of the fees for transporting an
19 incarcerated prisoner under paragraph (9) shall exclude
20 receipt of the fees under paragraphs (2), (3), (4) and (7)
21 for that transport.

22 (12) Actual mileage for travel by motor vehicle shall be
23 reimbursed at the rate equal to the highest rate allowed by
24 the Internal Revenue Service. If travel is by other than
25 motor vehicle, reimbursement shall be for actual vouchered
26 travel expenses.

27 (13) For conveying defendants for fingerprinting, \$17
28 per defendant, plus \$13 per hour beyond the first hour per
29 defendant per hour, not to exceed \$26 per hour per constable,
30 plus mileage.

1 (14) For holding one or more defendants at the office of
2 a magisterial district judge, \$13 per hour per defendant
3 beyond the first half hour.

4 (15) For courtroom security as ordered, \$13 per hour,
5 assessed against one or more parties as determined by the
6 court.

7 (16) In all criminal cases wherein the defendant is
8 discharged or indigent or the case is otherwise dismissed,
9 the court shall assess to the county the fee provided in this
10 section, except that in cases of private criminal complaints
11 wherein the defendant is discharged prior to the indictment
12 or the filing of any information or the case is otherwise
13 dismissed at the summary offense hearing, the court shall
14 assess the fee to the affiant.

15 * * *

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