
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2110 Session of
2007

INTRODUCED BY CONKLIN, THOMAS, MAHONEY, KING, SWANGER,
YOUNGBLOOD, BRENNAN, GRUCELA, KORTZ AND SIPTROTH,
DECEMBER 11, 2007

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, DECEMBER 11, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, imposing a local
3 government surcharge in cases commenced by local police
4 action.

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

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

9 § 3576. Local government surcharge.

10 (a) Levy and imposition.--In addition to any other costs,
11 finances, fees or penalties levied or imposed as provided by law,
12 under this title or under any other statute, a local government
13 surcharge of \$200 shall be assessed in accordance with this
14 section as part of any sentence imposed following:

15 (1) The court's entry of a finding of guilt for,
16 acceptance of a guilty plea to or acceptance of a plea of
17 nolo contendere to the following provisions of 18 Pa.C.S.
18 (relating to crimes and offenses) when prosecution of the

1 offense was commenced by local police action:

2 Section 5503 (relating to disorderly conduct).

3 Section 6307 (relating to misrepresentation of age to
4 secure liquor or malt or brewed beverages).

5 Section 6308 (relating to purchase, consumption,
6 possession or transportation of liquor or malt or brewed
7 beverages).

8 Section 6309 (relating to representing that minor is
9 of age).

10 Section 6310 (relating to inducement of minors to buy
11 liquor or malt or brewed beverages).

12 Section 6310.1 (relating to selling or furnishing
13 liquor or malt or brewed beverages to minors).

14 (2) The court's entry of a finding of guilt for,
15 acceptance of a guilty plea to or acceptance of a plea of
16 nolo contendere to a violation of 75 Pa.C.S. Ch. 38 (relating
17 to driving after imbibing alcohol or utilizing drugs) when
18 prosecution of the offense was commenced by local police
19 action.

20 (b) Disposition.--

21 (1) Notwithstanding the provisions of sections 3571
22 (relating to Commonwealth portion of fines, etc.) and 3573
23 (relating to municipal corporation portion of fines, etc.),
24 all local government surcharges imposed and collected under
25 subsection (a) by any division of the unified judicial system
26 existing under section 1 of Article V of the Constitution of
27 Pennsylvania and section 301 (relating to unified judicial
28 system) shall be remitted for deposit to the municipal
29 corporation employing the local police officer who commenced
30 the prosecution of the offense for which the local government

1 surcharge was imposed, provided that the municipal
2 corporation has adopted an ordinance under subsection (c).

3 (2) The local government surcharges levied and collected
4 under subsection (a) shall not be deposited for the credit or
5 use of, or otherwise allocated, directed or paid to, any
6 entity other than a municipal corporation in accordance with
7 this section.

8 (c) Ordinance and use of funds.--A municipal corporation,
9 other than a municipal corporation which has by ordinance
10 authorized the imposition of a tax on retail sales of liquor and
11 malt and brewed beverages, may adopt an ordinance to authorize
12 the deposit and use of the local government surcharges imposed
13 under subsection (a) and remitted to the municipal corporation
14 pursuant to subsection (b). All money remitted to a municipal
15 corporation pursuant to this section shall be dedicated by the
16 municipal corporation to support programs that promote public
17 safety or protection, including, but not limited to, police and
18 fire departments that serve the municipal corporation.

19 Section 2. This act shall take effect in 90 days.