

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1484 Session of 2009

INTRODUCED BY MANN, FRANKEL, HARRIS, HORNAMAN, KIRKLAND, KOTIK,
MURPHY, MURT, SABATINA, SIPTROTH, VULAKOVICH AND YOUNGBLOOD,
MAY 12, 2009

REFERRED TO COMMITTEE ON JUDICIARY, MAY 12, 2009

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in sentencing, further
3 providing for payment of court costs, restitution and fines.

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

6 Section 1. Section 9730 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 9730. Payment of court costs, restitution and fines.

9 * * *

10 (a.1) Assignment.--

11 (1) A defendant may agree to an assignment of income to
12 pay court costs, fines and restitution owed by the defendant.
13 Subject to such agreement, a court shall issue an order
14 assigning not more than 25% of the defendant's gross salary,
15 wages or other earnings to the court for payment of any fine,
16 court cost or restitution. Upon entry of an assignment under
17 this subsection, the court shall provide notice of the
18 assignment to the defendant's employer by certified mail.

1 (2) An employer who receives notice of the assignment
2 shall withhold the amount specified in the notice from any
3 money the employer pays to the defendant beginning one week
4 after receipt of the notice of assignment. Within five days
5 after the day on which the employer pays money to the
6 defendant, the employer shall send the amount to be withheld
7 to the court providing notice. Payment shall be by check
8 payable to the court.

9 (3) The employer shall be entitled to deduct from the
10 moneys collected from each employee under this subsection the
11 costs incurred from the extra bookkeeping necessary to record
12 such transactions, not exceeding \$5 of the amount of money so
13 collected.

14 (4) An employer subject to an order under this
15 subsection shall notify the court in writing within ten days
16 if the defendant is no longer employed by the employer or
17 subsequently terminates employment and shall provide the
18 court with the defendant's last known address, Social
19 Security number and name of new employer, if known.

20 (5) This subsection shall apply only to payment of
21 costs, fines and restitution ordered by the minor judiciary.

22 * * *

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