

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1122 Session of
2013

INTRODUCED BY SOLOBAY, COSTA, YUDICHAK, BRUBAKER, VULAKOVICH,
RAFFERTY AND BREWSTER, OCTOBER 10, 2013

REFERRED TO JUDICIARY, OCTOBER 10, 2013

AN ACT

1 Amending the act of October 15, 1980 (P.L.950, No.164), entitled
2 "A supplement to the act of April 9, 1929 (P.L.177, No.175),
3 entitled "An act providing for and reorganizing the conduct
4 of the executive and administrative work of the Commonwealth
5 by the Executive Department thereof and the administrative
6 departments, boards, commissions, and officers thereof,
7 including the boards of trustees of State Normal Schools, or
8 Teachers Colleges; abolishing, creating, reorganizing or
9 authorizing the reorganization of certain administrative
10 departments, boards, and commissions; defining the powers and
11 duties of the Governor and other executive and administrative
12 officers, and of the several administrative departments,
13 boards, commissions, and officers; fixing the salaries of the
14 Governor, Lieutenant Governor, and certain other executive
15 and administrative officers; providing for the appointment of
16 certain administrative officers, and of all deputies and
17 other assistants and employes in certain departments, boards,
18 and commissions; and prescribing the manner in which the
19 number and compensation of the deputies and all other
20 assistants and employes of certain departments, boards and
21 commissions shall be determined," implementing the addition
22 of section 4.1 to Article IV of the Constitution of
23 Pennsylvania; establishing the Office of Attorney General
24 elected by the citizens and setting forth powers and duties
25 of the Attorney General; creating an Office of General
26 Counsel and providing for legal services for Commonwealth
27 agencies; transferring, reorganizing or reconstituting
28 certain boards, commissions and agencies; placing certain
29 duties upon the courts and district attorneys; repealing
30 certain acts and parts of acts and making appropriations,"
31 further providing for legal advice and civil matters.

32 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 204 of the act of October 15, 1980
3 (P.L.950, No.164), known as the Commonwealth Attorneys Act, is
4 amended by adding a subsection to read:

5 Section 204. Legal advice and civil matters.

6 * * *

7 (c.1) Reimbursement for costs of collection.--

8 (1) All reasonable costs of collection of debts, taxes
9 and accounts due the Commonwealth incurred by the Attorney
10 General must be paid before the liability is extinguished
11 unless collection costs are discharged by operation of law.
12 The costs of collection may be added to the amount of the
13 liability and shall constitute a lien against the real or
14 personal property of the person liable. The unpaid costs may
15 be collected by the Attorney General, the political
16 subdivision where the debt originated or a private collection
17 agency.

18 (2) Collection costs of the Office of Attorney General
19 may not exceed 5% of the principal amount of the debt, taxes
20 or accounts due to and collected by the Commonwealth.

21 (3) Costs incurred by private collection agencies may
22 not be included in the collection costs of the Office of
23 Attorney General.

24 (4) Moneys collected pursuant to this subsection shall
25 only be used for the operating expenses of debt collection
26 efforts by the Office of Attorney General.

27 (5) For purposes of this subsection, costs of collection
28 shall include only the following:

29 (i) Lien filing costs.

30 (ii) Remuneration to the Attorney General to collect

1 debts, taxes and accounts due to and collected by the
2 Commonwealth.

3 (iii) Remuneration to a private collection agency
4 authorized by the Attorney General to collect debts,
5 taxes and accounts due the Commonwealth.

6 * * *

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