
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 280 Session of
2017

INTRODUCED BY DELOZIER, MARSICO, A. HARRIS, JAMES, KEEFER,
PEIFER, STEPHENS, KORTZ AND JOZWIAK, JANUARY 31, 2017

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JULY 9, 2017

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in bonds and
3 recognizances, further providing for bail to be governed by
4 general rules.

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

7 Section 1. Section 5702 of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 5702. Bail to be governed by general rules.

10 (a) General rule.--Except as otherwise provided by this
11 title and the laws relating to the regulation of surety
12 companies, all matters relating to the fixing, posting,
13 forfeiting, exoneration and distribution of bail and
14 recognizances shall be governed by general rules.

15 (b) Use of cash bail.--

16 (1) In a case in which the defendant is the named
17 depositor, any cash bail deposited by the defendant that is
18 otherwise returnable to the defendant shall be held and

1 applied to the payment of any restitution, fees, fines and
2 costs imposed upon the defendant in connection with any
3 criminal or delinquency case, unless the defendant shows that
4 he or she would suffer an undue hardship.

5 ~~(2) In a case in which the defendant is not the named~~ <--
6 ~~depositor, the court may order, upon motion of the attorney~~
7 ~~for the Commonwealth, that any cash bail deposited on behalf~~
8 ~~of the defendant that is otherwise returnable to the~~
9 ~~depositor be held and applied to the payment of any~~
10 ~~restitution, fees, fines and costs imposed upon the defendant~~
11 ~~in connection with any criminal or delinquency case, unless~~
12 ~~the depositor shows that he or she would suffer an undue~~
13 ~~hardship.~~

14 ~~(3)~~ (2) Written notice of the provisions of this <--
15 subsection shall be provided to a depositor prior to the
16 acceptance of a deposit.

17 Section 2. This act shall take effect in 180 days.