

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 285 Session of 2017

INTRODUCED BY STEPHENS, STAATS, MURT, BENNINGHOFF, READSHAW, COX, IRVIN, KNOWLES, BLOOM, B. MILLER, TAYLOR, BAKER, MILLARD, A. HARRIS, GABLER, NEILSON, LAWRENCE, DEASY, D. COSTA, RADER, GILLEN, DUSH, KORTZ, JOZWIAK, MICCARELLI AND NELSON, FEBRUARY 1, 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 sentencing, further
3 providing for collection of restitution, reparation, fees,
4 costs, fines and penalties.

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

7 Section 1. Section 9728(b)(5) of Title 42 of the
8 Pennsylvania Consolidated Statutes is amended to read:

9 § 9728. Collection of restitution, reparation, fees, costs,
10 fines and penalties.

11 \* \* \*

12 (b) Procedure.--

13 \* \* \*

14 ~~(5) The [county correctional facility to which the~~ <--

15 (5) DEDUCTIONS SHALL BE AS FOLLOWS: <--

16 (I) THE [COUNTY CORRECTIONAL FACILITY TO WHICH THE
17 offender has been sentenced or the] Department of

1            ~~Corrections or the correctional facility to which the~~ <--  
2            ~~offender has been sentenced~~ shall [be authorized to] make  
3            monetary deductions [from] ~~of at least 25% of the~~ <--  
4            ~~offender's wages and 50% of all 25% OF deposits made to~~ <--  
5            inmate personal accounts for the purpose of collecting  
6            restitution [or], costs imposed under section 9721(c.1),  
7            filing fees to be collected under section 6602(c)  
8            (relating to prisoner filing fees) and any other court-  
9            ordered obligation [or costs imposed under section  
10           9721(c.1)]. Deductions under this paragraph shall be in  
11           addition to the full amount authorized to be collected  
12           pursuant to any order for support. Any amount deducted  
13           shall be transmitted by the Department of Corrections [or <--  
14           the county correctional facility to the probation  
15           department of the county or other agent designated by the  
16           county commissioners of the county with the approval of  
17           the president judge of the county in which the offender  
18           was convicted.] ~~{The} Each county correctional facility,~~ <--  
19           ~~in consultation with the~~ Department of Corrections, shall  
20           develop guidelines relating to its responsibilities under  
21           this paragraph. The guidelines shall be incorporated into  
22           any contract entered into with a correctional facility.  
23           (II) THE COUNTY CORRECTIONAL FACILITY TO WHICH THE <--  
24           OFFENDER HAS BEEN SENTENCED SHALL BE AUTHORIZED TO MAKE  
25           MONETARY DEDUCTIONS FROM INMATE PERSONAL ACCOUNTS FOR THE  
26           PURPOSE OF COLLECTING RESTITUTION, COSTS IMPOSED UNDER  
27           SECTION 9721(C.1), FILING FEES TO BE COLLECTED UNDER  
28           SECTION 6602(C) (RELATING TO PRISONER FILING FEES) AND  
29           ANY OTHER COURT-ORDERED OBLIGATION. DEDUCTIONS UNDER THIS  
30           PARAGRAPH SHALL BE IN ADDITION TO THE FULL AMOUNT

1 AUTHORIZED TO BE COLLECTED PURSUANT TO ANY ORDER FOR  
2 SUPPORT. ANY AMOUNT DEDUCTED SHALL BE TRANSMITTED BY THE  
3 COUNTY CORRECTIONAL FACILITY TO THE PROBATION DEPARTMENT  
4 OF THE COUNTY OR OTHER AGENT DESIGNATED BY THE COUNTY  
5 COMMISSIONERS OF THE COUNTY WITH THE APPROVAL OF THE  
6 PRESIDENT JUDGE OF THE COUNTY IN WHICH THE OFFENDER WAS  
7 CONVICTED. EACH COUNTY CORRECTIONAL FACILITY, IN  
8 ACCORDANCE WITH THE DEPARTMENT OF CORRECTIONS, SHALL  
9 DEVELOP GUIDELINES RELATING TO ITS RESPONSIBILITIES UNDER  
10 THIS PARAGRAPH. THE GUIDELINES SHALL BE INCORPORATED INTO  
11 ANY CONTRACT ENTERED INTO WITH A CORRECTIONAL FACILITY.

12 \* \* \*

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