

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 741 Session of 2017

INTRODUCED BY GREENLEAF, LEACH, HUGHES, COSTA, RAFFERTY, FARNESE, YUDICHAK, STREET, RESCHENTHALER AND HAYWOOD, JUNE 4, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 16, 2017

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in Administrative Office <--
3 of Pennsylvania Courts, further providing for senior judge-
4 operational support grants; in facilities and supplies,
5 further providing for deposits into account and for <--
6 surcharge; and repealing provisions relating to expiration of
7 chapter.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Sections 1906(i), 3733(a.1)(1) and (2)(iii) and <--
11 3733.1(a)(1) of Title 42 of the Pennsylvania Consolidated-
12 Statutes are amended to read:

13 § 1906. Senior judge operational support grants.

14 * * *

15 (i) Expiration. This section shall expire on June 30,
16 [2017] 2022, unless reenacted prior to that date.

17 SECTION 1. SECTION 3733(A.1)(1) AND (2)(III) OF TITLE 42 OF <--
18 THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED AND <--
19 SUBSECTION (A) IS AMENDED BY ADDING A PARAGRAPH TO READ:

1 § 3733. Deposits into account.

2 * * *

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3 (A) GENERAL RULE.--

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4 * * *

5 (3) BEGINNING JULY 1, 2018, FINES, FEES OR COSTS WHICH
6 ARE ALLOCATED BY LAW OR OTHERWISE DIRECTED TO THE DEPARTMENT
7 OF AGRICULTURE UNDER THE ACT OF DECEMBER 7, 1982 (P.L.784,
8 NO.225), KNOWN AS THE DOG LAW, SHALL NOT BE AFFECTED BY THIS
9 SUBCHAPTER.

10 (a.1) Additional fees.--

11 (1) In addition to the court costs and filing fees
12 authorized to be collected by statute:

13 (i) An additional fee of [\$10] \$12 shall be charged
14 and collected by the prothonotaries of the Pennsylvania
15 Supreme, Superior and Commonwealth Courts for each
16 initial filing for which a fee, charge or cost is now
17 authorized.

18 (ii) An additional fee of [\$10] \$12 shall be charged
19 and collected by the prothonotaries, clerks of orphans'
20 courts and registers of wills of all courts of common
21 pleas, or by any officials designated to perform the
22 functions thereof, for the initiation of any civil action
23 or legal proceeding.

24 (iii) An additional fee of [\$10] \$12 shall be
25 charged by the clerks of courts of all courts of common
26 pleas, or by any officials designated to perform the
27 functions thereof, for the initiation of any criminal
28 proceeding for which a fee, charge or cost is now
29 authorized and a conviction is obtained or guilty plea is
30 entered. The additional fee under this subparagraph shall

1 also be charged and collected when a defendant is granted
2 entry into Accelerated Rehabilitative Disposition or any
3 other pretrial diversionary program.

4 (iv) An additional fee of [\$10] \$12 shall be charged
5 and collected by the minor judiciary, including
6 magisterial district judges, Philadelphia Municipal
7 Court, Philadelphia Traffic Court and Pittsburgh
8 Municipal Court, for the initiation of a legal proceeding
9 for which a fee or cost is now authorized, except that in
10 criminal, summary and traffic matters the fee shall be
11 charged only when a conviction is obtained or guilty plea
12 is entered. The additional fee under this subparagraph
13 shall also be charged and collected when a defendant is
14 granted entry into Accelerated Rehabilitative Disposition
15 or any other pretrial diversionary program.

16 (v) An additional fee of [\$10] \$12 shall be charged
17 and collected by the recorders of deeds and clerks of
18 court, or by any officials designated to perform similar
19 functions, for each filing of a deed, mortgage or
20 property transfer for which a fee, charge or cost is now
21 authorized. The Supreme Court shall designate by
22 financial regulations which filings meet the criteria of
23 this subparagraph.

24 (2) The additional fees identified in paragraph (1)
25 shall be fixed and charged for the fiscal years as indicated:

26 * * *

27 (iii) For the fiscal year 2005-2006 and each fiscal
28 year thereafter, \$8 of each additional fee shall be
29 deposited into the Judicial Computer System Augmentation
30 Account, and [\$2] \$4 of each additional fee shall be

1 deposited into the Access to Justice Account under
2 section 4904.

3 * * *

4 ~~§ 3733.1. Surcharge.~~

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5 ~~(a) Imposition of surcharge. In addition to each fee~~
6 ~~imposed under section 3733(a.1) (relating to deposits into~~
7 ~~account), except as set forth in subsection (b), the following~~
8 ~~apply:~~

9 ~~(1) A surcharge of \$11.25 shall be charged and~~
10 ~~collected. This paragraph shall expire December 31, [2017]~~
11 ~~2022.~~

12 * * *

13 Section 2. Section 4907 of Title 42 is repealed:

14 [§ 4907. Expiration of chapter.

15 This chapter shall expire on November 1, 2017. At least one
16 year prior to the expiration of this chapter, the Legislative
17 Budget and Finance Committee shall conduct and submit to the
18 General Assembly a performance audit for the purpose of
19 determining whether there is a continuing justification for the
20 activities and level of financial support provided for under
21 this chapter.]

22 Section 3. This act shall take effect ~~in 60 days~~

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23 IMMEDIATELY.

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