



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 516

PRINTERS NO. 802

PRIME SPONSOR: Browne

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	\$0	See Fiscal Impact

SUMMARY:

Senate Bill 516 amends the Judicial Code (Title 42) concerning payment of court costs, restitution, and fines. It would take effect in 120 days.

ANALYSIS:

This legislation amends the Judicial Code (Title 42) concerning payment of court costs, restitution and fines to provide that if a defendant fails to appear at a financial determination hearing, the issuing authority, senior judge or senior magisterial district judge may turn the delinquent account over to a private collection agency or the county's collection enforcement unit.

FISCAL IMPACT:

According to the Administrative Office of Pennsylvania Courts (AOPC), there are currently 65,382 dockets with an outstanding balance due. This also includes cases in which a failure to appear warrant has been issued or no payments have been made. The total outstanding amount due, which has accumulated over numerous years, is \$16,317,927. From 2017 through 2019, the outstanding amount due has increased by approximately \$1.6 million annually. The majority of these outstanding fines are for violations of the Vehicle Code. Vehicle Code-related fines and costs consist of the following:

- Traffic surcharge: \$45 to \$450. The majority of these surcharges are \$45;
- Costs: \$42 or \$51 if a hearing is requested. These funds are distributed as follows:
 - \$19 to the Commonwealth; and
 - \$23 to the local government in which the violation occurred
- Fine: \$25 and greater. These funds are distributed to the Commonwealth, counties and municipalities based on the type of violation, the law enforcement agency involved and the location of the offense;
- Emergency Medical Service Fee (EMS): \$10 is collected to support EMS systems serving rural areas throughout the Commonwealth and the Catastrophic Medical and Rehabilitation Fund for victims of traumatic injury;
- Access to Justice Account: \$4 is collected to provide legal representation to the poor in civil cases; and

- Judicial Computer System Augmentation Account (JCS): \$8 is collected to support the operation and continued development of the statewide Judicial Computer System.

Assuming 25% of the above-mentioned dockets are sent to collections and successfully collected, this would generate one-time revenue of \$4,079,482 and \$400,000 annually thereafter to be distributed to all of the following:

- General Fund;
- Motor License Fund;
- Local Government Funds;
- Access to Justice Account; and
- Judicial Computer System Augmentation Account.

Enactment of this legislation provides an additional enforcement tool to the courts that may result in additional funds being collected for fines, court costs and restitution to victims.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: June 25, 2021

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.