

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 138 Session of 2017

INTRODUCED BY MOUL, MILLARD, MATZIE, D. COSTA, WARD AND  
B. MILLER, JANUARY 23, 2017

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 23, 2017

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in sentencing, providing  
3 for restitution for tampering with evidence or public records  
4 or information.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 9720.8. Restitution for tampering with evidence or public  
10 records or information.

11 (a) General rule.--A court may, in addition to any other  
12 restitution sentence or order authorized by law, sentence a  
13 person convicted of a violation of 18 Pa.C.S. § 4910 (relating  
14 to tampering with or fabricating physical evidence) or 4911  
15 (relating to tampering with public records or information) to  
16 make restitution for all reasonable expenses incurred by the  
17 victim or on the victim's behalf to:

18 (1) investigate the circumstances surrounding the  
19 defendant's violation of 18 Pa.C.S. § 4910 or 4911;

1           (2) bring or defend civil or criminal actions related to  
2 the defendant's violation of 18 Pa.C.S. § 4910 or 4911; or  
3           (3) take other corrective or remedial efforts in  
4 connection with the defendant's violation of 18 Pa.C.S. §  
5 4910 or 4911.

6           (b) Types of expenses.--The types of expenses that may be  
7 recoverable under this section include, but are not limited to:

8           (1) Attorney fees.

9           (2) Court costs and filing fees.

10           (3) Any other expense the court deems proper.

11           Section 2. The addition of 42 Pa.C.S. § 9720.8 shall apply  
12 to offenses committed on or after the effective date of this  
13 act.

14           Section 3. This act shall take effect in 60 days.