
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 758 Session of
2015

INTRODUCED BY TOEPEL, LONGIETTI, STEPHENS, MASSER, BARRAR,
MILLARD, ROZZI, COHEN, A. HARRIS, M. K. KELLER, MURT, QUINN,
TOPPER, KILLION, BAKER, DAVIS, B. MILLER, SAYLOR, SCHLEGEL
CULVER, TOOHIL, EVERETT AND KORTZ, MARCH 9, 2015

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 9, 2015

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in judgments and other
3 liens, further providing for personal earnings exempt from
4 process; and, in sentencing, further providing for payment of
5 court costs, restitution and fines.

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

8 Section 1. Section 8127(b) of Title 42 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 8127. Personal earnings exempt from process.

11 * * *

12 (b) Priority.--An order of attachment for support shall have
13 first priority and an order for restitution shall have second
14 priority over any other attachment, execution, garnishment or
15 wage assignment.

16 * * *

17 Section 2. Section 9730(a) and (b)(2) of Title 42 are
18 amended and the section is amended by adding subsections to

1 read:

2 § 9730. Payment of court costs, restitution and fines.

3 (a) [Use of credit cards] Method of payment.--The treasurer
4 of each county may allow the use of credit cards and bank cards
5 in the payment of court costs and fines[.], and may provide for
6 automatic periodic deductions from a bank account, subject to
7 the agreement of the owner of the account.

8 (a.1) Wage attachment.--A court may, at sentencing, assign
9 an amount not greater than 25% of the defendant's gross salary,
10 wages or other earnings to be used for the payment of
11 restitution, fines or court costs.

12 (b) Procedures regarding default.--

13 * * *

14 (2) If the issuing authority, senior judge or senior
15 magisterial district judge determines that the defendant is
16 financially able to pay the fine or costs, the issuing
17 authority, senior judge or senior magisterial district judge
18 may enter an order for wage attachment, turn the delinquent
19 account over to a private collection agency or impose
20 imprisonment for nonpayment, as provided by law.

21 * * *

22 (c) Prohibition against adverse action.--No employer may
23 discharge, refuse to hire, or take any other adverse action
24 against any person based in whole or in part on an order for the
25 attachment of wages or the possibility thereof. An employer who
26 violates this section may be held in contempt of court and shall
27 be liable to the person for actual damages resulting from the
28 violative action.

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