

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1120 Session of 2020

INTRODUCED BY BAKER, FARNESE, KILLION, K. WARD, J. WARD, REGAN, STEFANO, ARNOLD AND SCAVELLO, APRIL 17, 2020

SENATOR BAKER, JUDICIARY, RE-REPORTED AS AMENDED, APRIL 29, 2020

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in sentencing, further
3 providing for payment of court costs, restitution and fines.

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

6 Section 1. Section 9730 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 9730. Payment of court costs, restitution and fines.

9 * * *

10 (c) Judicial emergencies.--

11 (1) Notwithstanding any other provision of this chapter,
12 during the time period IN THE EVENT of a judicial emergency <--
13 declared under Article V of the Constitution of Pennsylvania,
14 a law of this Commonwealth, a rule of court or other judicial
15 order by the Supreme Court or any agency or unit of the
16 unified judicial system exercising a power or performing a
17 duty in accordance with section 1721 (relating to delegation
18 of powers), the failure to pay court costs, restitution or

~~1 fines otherwise due during the declared judicial emergency <--~~
~~2 PRIOR TO THE EXPIRATION OF THE EARLIER TO OCCUR OF THE~~
~~3 ADDITIONAL 60-DAY PERIODS SPECIFIED UNDER PARAGRAPH (2) (I),~~
~~4 (II) OR (III) shall not be considered a default for the~~
~~5 purposes of this section. A defendant shall have an <--~~
~~6 additional 30 days after the expiration of the declared~~
~~7 judicial emergency to pay court costs, restitution or fines~~
~~8 otherwise due. The failure to pay court costs, restitution or~~
~~9 fines otherwise due during the additional 30 day period~~
~~10 specified under this paragraph shall be considered a default~~
~~11 for the purposes of this section.~~

~~12 (2) This subsection shall apply to any judicial district~~
~~13 for which a judicial emergency is declared. If a Statewide~~
~~14 judicial emergency is declared, this subsection shall apply~~
~~15 to all judicial districts. This subsection shall be~~
~~16 retroactive to March 18, 2020. IF THE PAYMENT OF THE COURT <--~~
~~17 COSTS, RESTITUTION OR FINES IS MADE IN ACCORDANCE WITH~~
~~18 PARAGRAPH (2).~~

~~19 (2) A DEFENDANT SHALL HAVE AN ADDITIONAL 60 DAYS TO PAY~~
~~20 COURT COSTS, RESTITUTION OR FINES OTHERWISE DUE AFTER EITHER~~
~~21 OF THE FOLLOWING, WHICHEVER OCCURS FIRST:~~

~~22 (I) THE EXPIRATION OF THE DECLARED JUDICIAL~~
~~23 EMERGENCY.~~

~~24 (II) THE JUDICIAL DISTRICT ESTABLISHES A METHOD BY~~
~~25 WHICH THE PAYMENT MAY BE COMMENCED BY RULE OF COURT OR~~
~~26 OTHER JUDICIAL ORDER DURING THE JUDICIAL EMERGENCY.~~

~~27 (III) THE EFFECTIVE DATE OF THE JUDICIAL EMERGENCY~~
~~28 IF THE JUDICIAL DISTRICT HAS ESTABLISHED A METHOD BY~~
~~29 WHICH THE PAYMENT MAY BE COMMENCED BY RULE OF COURT OR~~
~~30 OTHER JUDICIAL ORDER PRIOR TO SUCH EFFECTIVE DATE.~~

1 (3) THIS SUBSECTION SHALL APPLY TO ANY JUDICIAL DISTRICT
2 FOR WHICH A JUDICIAL EMERGENCY IS DECLARED. IF A STATEWIDE
3 JUDICIAL EMERGENCY IS DECLARED, THIS SUBSECTION SHALL APPLY
4 TO ALL JUDICIAL DISTRICTS. THIS SUBSECTION SHALL BE
5 RETROACTIVE TO MARCH 18, 2020.

6 Section 2. This act shall take effect immediately.