

Act 81 Title 42

§ 1725.5. Booking center fee.

(a) **Imposition.**--Following the adoption of a countywide booking center plan, a person may, in addition to any other fines, penalties or costs imposed by law, be required by the court to pay a booking center fund fee of no more than \$300 if the person:

(1) Is placed on probation without verdict pursuant to section 17 of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

(2) Receives Accelerated Rehabilitative Disposition for, pleads guilty to or nolo contendere to or is convicted of a crime under the following:

(i) 18 Pa.C.S. § 106(a) (relating to classes of offenses).

(ii) 75 Pa.C.S. § 3735 (relating to homicide by vehicle while driving under influence).

(iii) 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance).

(iv) A violation of The Controlled Substance, Drug, Device and Cosmetic Act.

(b) **Disposition.**--The fee under subsection (a) shall be paid to the county and deposited into a special central or regional booking center fund established in the county. Moneys in the special fund shall be used solely for the implementation of a countywide booking center plan under section 1725.6 (relating to countywide booking center plan) and the start-up, operation or maintenance of a booking center.

(c) **Other laws.**--The booking center fee shall be imposed notwithstanding any other provision of law to the contrary. (Sept. 25, 2008, P.L.1026, No.81, eff. 180 days)

2008 Amendment. Act 81 added section 1725.5.

Cross References. Section 1725.5 is referred to in section 1725.6 of this title.

§ 1725.6. Countywide booking center plan.

(a) **Development.**--

(1) A court in a county that has developed and adopted a countywide booking center plan may impose the fee established under section 1725.5 (relating to booking center fee).

(2) A county with a criminal justice advisory board shall develop the plan in conjunction with the criminal justice advisory board.

(3) A county that does not have a criminal justice advisory board shall develop the plan in conjunction with the district attorney, local police departments and municipalities within the county.

(b) **Requirements.**--The plan adopted under subsection (a) shall do all of the following:

(1) Ensure coordination and collaboration of all criminal justice agencies within the county.

(2) Comply with all applicable Federal and State technology standards for the collection and transmission of offender identification information.

(3) Make recommendations regarding the number, funding and operations of booking centers within the county. The plan shall prioritize the recommendations.

(c) Submission.--

(1) The plan shall be submitted to the Pennsylvania Commission on Crime and Delinquency for review and certification that the plan complies with the requirements of subsection (b)(2).

(2) The Pennsylvania Commission on Crime and Delinquency shall provide a list of all certified county plans to the Administrative Office of Pennsylvania Courts upon each county's certification. The Pennsylvania Commission on Crime and Delinquency shall update this list and provide it to the Administrative Office of Pennsylvania Courts whenever a county is added or subtracted from the list.

(d) Duties of commission.--The Pennsylvania Commission on Crime and Delinquency shall do all of the following:

(1) Determine and certify if a countywide booking center plan submitted by a county criminal justice advisory board or the county commissioners complies with subsection (b)(2).

(2) Adopt guidelines within 90 days of the effective date of this section relating to technology standards for the collection and transmission of offenders' identification. The guidelines shall be published in the Pennsylvania Bulletin.

(e) Implementation.--Following certification by the Pennsylvania Commission on Crime and Delinquency under subsection (d), the county may appropriate moneys in the special central or regional booking center fund to implement the plan to the greatest extent possible.

(f) Limitation.--No more than 5% of moneys in the special central or regional booking center fund may be appropriated by the county for the county's administrative costs related to the collection of the fee under section 1725.5.

(g) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Booking center." A facility utilized for the processing and identification of individuals arrested, charged or accused of a crime.

"County criminal justice advisory board." A county criminal justice planning board which meets the minimum standard for those boards established by the Pennsylvania Commission on Crime and Delinquency.

"Countywide booking center plan." A written plan that includes a comprehensive strategy to improve the collection, transfer and maintenance of electronic offender identification information.

(Sept. 25, 2008, P.L.1026, No.81, eff. 180 days)

2008 Amendment. Act 81 added section 1725.6.