

No. 1980-83

AN ACT

SB 323

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for costs and expenses involving extradition of certain persons and making an appropriation.

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

Section 1. Title 42, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended by adding a section to read:

§ 9144.1. Payment of expenses, costs and fees.

All costs and expenses shall be paid out of the county treasury in the county wherein the crime is alleged to have been committed: Provided, however, That all costs and expenses incurred by a county in extraditing a person who, upon release from a Federal prison, is apprehended on a writ of detainer issued by a state other than Pennsylvania, shall be reimbursed by the Department of Justice. Reimbursable costs and expenses incurred in any extradition proceeding shall include, but not be limited to, apprehending, securing, transmitting and maintaining the prisoner, as well as food, court fees and counsel fees. Any person released from a Federal prison for whom extradition proceedings have been initiated and who is apprehended on a writ of detainer issued by a state other than Pennsylvania, shall be transferred to the Bureau of Correction as soon as possible until such extradition occurs or until he is released by the court. The Commissioner of Correction shall accept such transfer. The Bureau of Correction shall make every effort to be reimbursed for all costs and expenses from the state which is seeking extradition.

Section 2. The sum of \$10,000, or as much thereof as may be necessary, is appropriated to the Department of Justice in order to carry out the provisions of this act.

Section 3. This act shall take effect immediately and shall be retroactive to December 2, 1976.

APPROVED—The 2nd day of July, A. D. 1980.

DICK THORNBURGH