

No. 2013-112

AN ACT

HB 1274

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for criminal laboratory user fee.

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

Section 1. Section 1725.3(b) and (c) of Title 42 of the Pennsylvania Consolidated Statutes are amended to read:

§ 1725.3. Criminal laboratory user fee.

* * *

(b) Amount of user fee.—

(1) **[Where the prosecution is conducted in a county of the first class or a county of the second class and the county operates a county laboratory that has provided services in the prosecution, the] *The* director or similar officer of the county laboratory *that has provided services in the prosecution* shall determine the actual cost of the laboratory services provided in the prosecution and transmit a statement for services rendered to the court. **[If a county of the first class or a county of the second class does not operate a county laboratory and laboratory services in the prosecution were provided by the Pennsylvania State Police, the fee shall be determined under paragraph (2).]****

(2) **[Where the prosecution is conducted in a county other than a county of the first class or a county of the second class and] *If* a Pennsylvania State Police laboratory has provided services in the prosecution, the director or similar officer of the Pennsylvania State Police laboratory shall determine the actual cost of the laboratory services provided in the prosecution and transmit a statement for services rendered to the court.**

(c) Disposition of fees.—

(1) **[In a county of the first class or a county of the second class that operates a county laboratory, the] *The* criminal laboratory user fee *for criminal laboratory services provided by a county* shall be paid to the county and shall be used solely for operation and maintenance of the county laboratory. **[If a county of the first class or a county of the second class does not operate a county laboratory, the] *The* criminal laboratory user fee *for criminal laboratory services provided by the Pennsylvania State Police laboratory* shall be paid into the Criminal Laboratory User Fee Fund created under paragraph (2).****

(2) **[In a county other than a county of the first class or a county of the second class or where a county of the first class or a county of the second class does not operate a county laboratory, the criminal laboratory user fee shall be paid into a] *A* special nonlapsing fund of the State Treasury[, which] is hereby established and shall be known as**

the Criminal Laboratory User Fee Fund. Money in the Criminal Laboratory User Fee Fund is hereby appropriated to the Pennsylvania State Police and shall be used solely for operation and maintenance of Pennsylvania State Police criminal laboratories.

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Section 2. This act shall take effect in 60 days.

APPROVED—The 18th day of December, A.D. 2013

TOM CORBETT