

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1270 Session of
2002

INTRODUCED BY M. WHITE, LAVALLE, KUKOVICH, HELFRICK, GERLACH,
GREENLEAF, C. WILLIAMS, MURPHY, EARLL, ERICKSON, BODACK,
MOWERY AND SCHWARTZ, JANUARY 29, 2002

REFERRED TO JUDICIARY, JANUARY 29, 2002

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing for liability for
3 support and extending liability for child support beyond the
4 death of the obligor.

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

7 Section 1. Section 4321 of Title 23 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 4321. Liability for support.

10 (a) General rule.--Subject to the provisions of this
11 chapter:

12 (1) Married persons are liable for the support of each
13 other according to their respective abilities to provide
14 support as provided by law.

15 (2) Parents are liable for the support of their children
16 who are unemancipated and 18 years of age or younger.

17 (3) Parents may be liable for the support of their
18 children who are 18 years of age or older.

1 (b) Effect of death of parents.--The liability of parents
2 for support of their children under this chapter remains
3 unaffected by the death of those parents. Any interested party
4 may file a claim against the estate of a parent to determine the
5 liability of the parent to support a surviving child under this
6 chapter, regardless of whether a support order was in effect for
7 the child on the parent's date of death.

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