

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 79

Session of
1981

INTRODUCED BY DWYER, SNYDER, GREENLEAF, MANBECK, HOPPER AND
PECORA, JANUARY 8, 1981

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 4, 1982

AN ACT

1 ~~Amending the act of August 22, 1953 (P.L.1344, No.383), entitled~~ <—
2 ~~"An act relating to marriage; and amending, revising,~~
3 ~~consolidating and changing the law relating thereto,"~~
4 ~~requiring that the Social Security Number of each applicant~~
5 ~~be included in the application for license to marry.~~
6 AMENDING THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), ENTITLED "AN <—
7 ACT TO CONSOLIDATE, EDITORIALY REVISE, AND CODIFY THE PUBLIC
8 WELFARE LAWS OF THE COMMONWEALTH," PROVIDING FOR DOMESTIC
9 VIOLENCE AND RAPE CRISIS PROGRAMS, IMPOSING ADDITIONAL COSTS
10 AND MAKING AN APPROPRIATION.

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

13 ~~Section 1. Section 3, act of August 22, 1953 (P.L.1344,~~ <—
14 ~~No.383), known as "The Marriage Law," is amended to read:~~

15 ~~Section 3. Application for License to Marry. No license to~~
16 ~~marry shall be issued by any clerk of the orphans' court except~~
17 ~~upon written and verified application made by both of the~~
18 ~~parties intending to marry. Such application shall contain a~~
19 ~~statement of the full Christian name and surname of the male and~~
20 ~~female applicant, race, occupation, birthplace, residence,~~

~~1 Social Security Number, and ages of the parties, whether the~~
~~2 marriage contemplated is the first, second, or other marriage,~~
~~3 and that neither of the contracting parties is afflicted with~~
~~4 transmissible disease, together with the full Christian name and~~
~~5 surname, residence, race, occupation, and birthplace of their~~
~~6 parents, including the maiden name of the mother, together with~~
~~7 such other facts as may be necessary to determine whether any~~
~~8 legal impediment to the proposed marriage exists.~~

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

10 SECTION 1. ARTICLE XII, ACT OF JUNE 13, 1967 (P.L.31, <—
11 NO.21), KNOWN AS THE "PUBLIC WELFARE CODE," IS AMENDED BY ADDING
12 SECTIONS TO READ:

13 ARTICLE XII

14 [RESERVED]

15 DOMESTIC VIOLENCE AND RAPE VICTIMS SERVICES

16 SECTION 1201. LEGISLATIVE FINDINGS AND INTENT.--THE GENERAL
17 ASSEMBLY FINDS THAT THE PUBLIC HEALTH AND SAFETY IS THREATENED
18 BY INCREASING INCIDENCES OF DOMESTIC VIOLENCE AND RAPE. DOMESTIC
19 VIOLENCE PROGRAMS AND RAPE CRISIS PROGRAMS PROVIDE NEEDED
20 SUPPORT SERVICES FOR VICTIMS AND ASSIST IN PREVENTION THROUGH
21 COMMUNITY EDUCATION. THEREFORE THE GENERAL ASSEMBLY FINDS THAT
22 IT IS IN THE PUBLIC INTEREST FOR THE COMMONWEALTH TO ESTABLISH A
23 MECHANISM TO PROVIDE FINANCIAL ASSISTANCE TO DOMESTIC VIOLENCE
24 CENTERS AND RAPE CRISIS CENTERS FOR THE OPERATION OF DOMESTIC
25 VIOLENCE AND RAPE CRISIS PROGRAMS.

26 SECTION 1202. DEFINITIONS.--AS USED IN THIS ARTICLE:

27 "CRIME" MEANS AN ACT COMMITTED IN PENNSYLVANIA WHICH, IF
28 COMMITTED BY A MENTALLY COMPETENT, CRIMINALLY RESPONSIBLE ADULT,
29 WHO HAD NO LEGAL EXEMPTION OR DEFENSE, WOULD CONSTITUTE A CRIME
30 AS DEFINED IN AND PROSCRIBED BY TITLE 18 OF THE PENNSYLVANIA

1 CONSOLIDATED STATUTES (RELATING TO CRIMES AND OFFENSES) OR
2 ENUMERATED IN THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN
3 AS "THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT."
4 HOWEVER, NO ACT INVOLVING THE OPERATION OF A MOTOR VEHICLE WHICH
5 RESULTS IN INJURY SHALL CONSTITUTE A CRIME FOR THE PURPOSE OF
6 THIS ARTICLE UNLESS SUCH INJURY WAS INTENTIONALLY INFLICTED
7 THROUGH THE USE OF A MOTOR VEHICLE.

8 "DOMESTIC VIOLENCE" MEANS THE OCCURRENCE OF ONE OR MORE OF
9 THE FOLLOWING ACTS BETWEEN FAMILY OR HOUSEHOLD MEMBERS:

10 (1) INTENTIONALLY, KNOWINGLY, OR RECKLESSLY CAUSING OR
11 ATTEMPTING TO CAUSE BODILY INJURY.

12 (2) PLACING BY PHYSICAL MENACE ANOTHER IN FEAR OF IMMINENT
13 SERIOUS BODILY INJURY.

14 "DOMESTIC VIOLENCE CENTER" MEANS AN ORGANIZATION OR THE
15 COORDINATING BODY OF AN ORGANIZATION WHICH HAS AS ITS PRIMARY
16 PURPOSE THE OPERATION OF DOMESTIC VIOLENCE PROGRAMS.

17 "DOMESTIC VIOLENCE PROGRAM" MEANS A PROGRAM WHICH HAS AS ITS
18 PRIMARY PURPOSE THE PROVISION OF DIRECT SERVICES TO VICTIMS OF
19 DOMESTIC VIOLENCE AND THEIR CHILDREN, INCLUDING, BUT NOT LIMITED
20 TO VICTIM ADVOCACY, COUNSELING, SHELTER, INFORMATION AND
21 REFERRAL, VICTIM-WITNESS, ACCOMPANIMENT, COMMUNITY EDUCATION AND
22 PREVENTION.

23 "RAPE CRISIS CENTER" MEANS AN ORGANIZATION, OR THE
24 COORDINATING BODY OF AN ORGANIZATION WHICH HAS AS ITS PRIMARY
25 PURPOSE THE OPERATION OF RAPE CRISIS PROGRAMS.

26 "RAPE CRISIS PROGRAM" MEANS A PROGRAM WHICH HAS AS ITS
27 PRIMARY PURPOSE THE PROVISION OF DIRECT SERVICES TO VICTIMS OF
28 SEXUAL ASSAULT, INCLUDING, BUT NOT LIMITED TO, CRISIS
29 INTERVENTION, COUNSELING, VICTIM ADVOCACY, INFORMATION AND
30 REFERRAL, VICTIM WITNESS AND ASSISTANCE, ACCOMPANIMENT THROUGH

1 THE MEDICAL, POLICE AND JUDICIAL SYSTEMS AS WELL AS PROVIDING
2 EDUCATION AND PREVENTION PROGRAMS ON RAPE AND SEXUAL ASSAULTS.

3 "SEXUAL ASSAULT," FOR PURPOSES OF THIS ACT, SHALL CONSTITUTE
4 ANY CONDUCT WHICH IS A CRIME UNDER 18 PA.C.S. CH. 31 (RELATING
5 TO SEXUAL OFFENSES).

6 SECTION 1203. ADDITIONAL COSTS.--WHERE ANY PERSON AFTER THE
7 EFFECTIVE DATE OF THIS ARTICLE PLEADS GUILTY OR NOLO CONTENDERE
8 TO OR IS CONVICTED OF ANY CRIME AS HEREIN DEFINED, THERE SHALL
9 BE IMPOSED IN ADDITION TO ALL OTHER COSTS, AN ADDITIONAL COST IN
10 THE SUM OF TEN DOLLARS (\$10) FOR THE PURPOSE OF FUNDING THE
11 SERVICES AS DESCRIBED IN THIS ARTICLE. SUCH SUM SHALL BE PAID
12 OVER TO THE STATE TREASURER TO BE DEPOSITED IN THE GENERAL FUND.
13 UNDER NO CONDITION SHALL A POLITICAL SUBDIVISION BE LIABLE FOR
14 THE PAYMENT OF THE TEN DOLLARS (\$10) IN ADDITIONAL COSTS.

15 SECTION 1204. PROGRAM GRANTS AUTHORIZED.--THE DEPARTMENT
16 SHALL MAKE GRANTS TO DOMESTIC VIOLENCE CENTERS AND RAPE CRISIS
17 CENTERS FOR THE OPERATION OF DOMESTIC VIOLENCE PROGRAMS AND RAPE
18 CRISIS PROGRAMS CONSISTENT WITH THIS ARTICLE. IN AWARDING
19 GRANTS, THE DEPARTMENT SHALL CONSIDER THE POPULATION TO BE
20 SERVED, THE GEOGRAPHICAL AREA TO BE SERVICED, THE SCOPE OF THE
21 SERVICES, THE NEED FOR SERVICES, AND THE AMOUNT OF FUNDS
22 PROVIDED FROM OTHER SOURCES.

23 SECTION 1205. PUBLIC REVIEW AND ACCOUNTABILITY.--THE
24 DEPARTMENT SHALL MAKE AVAILABLE AT COST TO THE PUBLIC COPIES OF
25 APPLICATIONS THAT HAVE BEEN SUBMITTED OR APPROVED FOR FUNDING
26 AND REPORTS ON ANY FISCAL OR PROGRAMMATIC REVIEWS OF FUNDED
27 PROGRAMS.

28 SECTION 1206. TERMINATION OF ARTICLE.--THE PROVISIONS OF
29 THIS ARTICLE SHALL EXPIRE FIVE YEARS FROM THE EFFECTIVE DATE OF
30 THIS ARTICLE UNLESS REENACTED BY THE GENERAL ASSEMBLY.

1 SECTION 2. THE SUM OF \$1,500,000 IS HEREBY APPROPRIATED TO
2 THE DEPARTMENT OF PUBLIC WELFARE FOR THE FISCAL YEAR 1982-1983
3 FOR THE PURPOSE OF FUNDING THE PROGRAMS AUTHORIZED IN SECTION
4 1204. THE DEPARTMENT SHALL NOT EXPEND MORE THAN 7% OF THE
5 APPROPRIATED FUNDS FOR THE ADMINISTRATION OF THIS ACT.
6 SECTION 3. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.