

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1751 Session of
2007

INTRODUCED BY DeLUCA, BELFANTI, BOYD, BRENNAN, GODSHALL,
JOSEPHS, KORTZ, LONGIETTI, McGEEHAN, MELIO, MENSCH AND
REICHLEY, JULY 14, 2007

REFERRED TO COMMITTEE ON JUDICIARY, JULY 14, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for de facto
3 relinquishment of parental rights in personal injury actions.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 7104. De facto relinquishment of parental rights.

9 For purposes of determining a parent's right to share in the
10 proceeds of a personal injury verdict, award or settlement in an
11 action brought by or on behalf of the parent's child or the
12 child's estate, the fact that the parent did not have any
13 contact with the child for a period of five or more years prior
14 to institution of the action shall constitute de facto
15 relinquishment of all parental rights.

16 Section 2. This act shall apply to all pending actions
17 whether instituted prior to or after the effective date of this
18 act.

1 Section 3. This act shall take effect immediately.