
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1747 Session of
2021

INTRODUCED BY KULIK, MIHALEK, HILL-EVANS, NEILSON, SANCHEZ,
MIZGORSKI, GALLOWAY, CONKLIN, T. DAVIS, FREEMAN, TOOHL,
CIRESI, HOWARD, THOMAS, DEASY, ROZZI, O'MARA, GILLEN,
SCHLEGEL CULVER, MADDEN, McNEILL, GUENST, BURGOS AND
SHUSTERMAN, JULY 30, 2021

REFERRED TO COMMITTEE ON JUDICIARY, JULY 30, 2021

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in protection from abuse, further
3 providing for definitions and for relief.

4 This act shall be referred to as "Alina's Law."

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

7 Section 1. Section 6102(a) of Title 23 of the Pennsylvania
8 Consolidated Statutes is amended by adding definitions to read:

9 § 6102. Definitions.

10 (a) General rule.--The following words and phrases when used
11 in this chapter shall have the meanings given to them in this
12 section unless the context clearly indicates otherwise:

13 * * *

14 "Electronic monitoring device." A device that enables the
15 location of a person wearing the device to be monitored through
16 use of a global positioning system and related technology and is
17 designed so that the device:

1 (1) actively and continuously monitors, identifies and
2 reports location data within a 100-mile radius;

3 (2) has real-time and interactive capabilities,
4 including the capability to immediately notify the
5 appropriate law enforcement agency and plaintiff of a breach
6 of a court-ordered exclusion zone;

7 (3) may be worn around a person's wrist or ankle; and

8 (4) once fitted around a person's wrist or ankle, cannot
9 be removed without using specialized equipment specifically
10 designed for that purpose and alerting the Pennsylvania State
11 Police and each local police department that the device has
12 been removed.

13 "Exclusion zone." A defined area surrounding the plaintiff
14 that the defendant is prohibited from entering.

15 * * *

16 Section 2. Section 6108(a) of Title 23 is amended by adding
17 paragraphs to read:

18 § 6108. Relief.

19 (a) General rule.--Subject to subsection (a.1), the court
20 may grant any protection order or approve any consent agreement
21 to bring about a cessation of abuse of the plaintiff or minor
22 children. The order or agreement may include:

23 * * *

24 (6.1) Establishing an exclusion zone.

25 * * *

26 (9.1) With the consent of the plaintiff, authorizing the
27 plaintiff to wear an electronic monitoring device. The court
28 shall advise the plaintiff of the right to withdraw consent
29 at any time.

30 (9.2) If the plaintiff consents to wear an electronic

1 monitoring device under paragraph (9.1), requiring the
2 defendant to wear an electronic monitoring device. The
3 following shall apply:

4 (i) Except as provided in subparagraph (ii), the
5 court shall order the defendant to wear the electronic
6 monitoring device for the entire period of time that the
7 final protection from abuse order is in effect.

8 (ii) The court may only order the electronic
9 monitoring device be removed from the defendant before
10 the expiration of the final protection from abuse order
11 if the plaintiff withdraws consent under paragraph (9.1)
12 or for good cause shown. If the court orders the
13 electronic monitoring device removed, the court shall
14 notify the plaintiff covered by the final protection from
15 abuse order that the electronic monitoring device has
16 been removed.

17 * * *

18 Section 3. This act shall take effect in 60 days.