

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 544 Session of 2023

INTRODUCED BY BOROWSKI, PROBST, HILL-EVANS, SANCHEZ, BURGOS, KENYATTA, HOWARD, CEPEDA-FREYTIZ, CIRESI, FIEDLER, CERRATO, DELLOSO, SHUSTERMAN, KINKEAD, N. NELSON, OTTEN, CONKLIN, FLEMING AND GREEN, MARCH 20, 2023

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 14, 2023

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in protection from abuse, providing
3 for waiver of fee for corrected or duplicate State documents.

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

6 Section 1. Title 23 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6123. Waiver of fee for corrected or duplicate State
9 documents.

10 (a) Requirements for waiver.--A person who satisfies the
11 following requirements is eligible for a waiver of fees under
12 subsections (b) and (c) if:

13 (1) All of the following apply:

14 (i) The person has been granted relief under section
15 6107(b) (relating to hearings) or 6108 (relating to
16 relief).

17 (ii) The relief under subparagraph (i) was granted

1 no more than 90 days prior to the person applying for a  
2 waiver under this section.

3 (iii) As a result of the abuse which is the subject  
4 of the relief under subparagraph (i), the person does not  
5 have access to the original documents that are being  
6 replaced or corrected.

7 (2) The person was the subject of abuse within the  
8 previous 120 days and the abuse is verified through one of  
9 the following methods:

10 (i) (A) A statement by an employee, agent or  
11 volunteer of a victim service provider, an attorney,  
12 a medical professional or a mental health  
13 professional from whom the victim has sought  
14 assistance relating to the abuse, including the use  
15 of a standardized form under subsection (e).

16 ~~(B) A statement subject to 18 Pa.C.S. § 4904(b) <--~~  
17 ~~(relating to unsworn falsification to authorities)-~~  
18 ~~from the person. The provisions of 18 Pa.C.S. § 1104-~~  
19 ~~(relating to sentence of imprisonment for-~~  
20 ~~misdemeanors) shall not apply to a violation of this~~  
21 ~~subparagraph.~~

22 (B) A STATEMENT VERIFYING THE ABUSE. AN <--  
23 INDIVIDUAL WHO PROVIDES MATERIALLY FALSE INFORMATION  
24 IN THE STATEMENT UNDER THIS CLAUSE SHALL BE SUBJECT  
25 TO A PENALTY OF \$50 PLUS THE FEE CHARGED FOR THE  
26 DOCUMENT THE INDIVIDUAL SOUGHT TO OBTAIN UNDER THIS  
27 SECTION.

28 (ii) The person has not filed a petition for relief  
29 under this chapter regarding the abuse under paragraph  
30 (1).

1           (iii) As a result of the abuse under paragraph (1),  
2           the person does not have access to the original documents  
3           that are being replaced or corrected.

4           (b) Waiver of fee by Department of Transportation.--Upon  
5           application of a person who qualifies under subsection (a), the  
6           Department of Transportation shall waive the fee for a duplicate  
7           or corrected certificate of title, photo identification card,  
8           noncommercial driver's license, commercial driver's license,  
9           camera card, learner's permit or registration card. A qualifying  
10           person with dependents shall also receive a waiver of fee under  
11           this section for a duplicate or corrected document for the  
12           person's dependents.

13           (c) Waiver of fee by Department of Health.--Upon application  
14           of a person who qualifies under subsection (a), the Department  
15           of Health shall waive the fee for a certified copy of birth  
16           record. A qualifying person with dependents shall also receive a  
17           waiver of fee under this section for a duplicate or corrected  
18           document for the person's dependents.

19           (d) Implementation by agencies.--Within 90 days of the  
20           effective date of this section, the Department of Transportation  
21           and the Department of Health shall establish a statement of  
22           policy providing for applications made under subsection (b) or  
23           (c), as applicable. A statement of policy under this subsection  
24           shall be made available on the agency's publicly accessible  
25           Internet website and shall be reviewed by the agency at least  
26           every five years.

27           (e) Forms.--The Office of Victim Advocate shall develop  
28           standardized forms for documenting abuse and providing a method  
29           for third party attestation of abuse under this section.

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