

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, GREEN, WEBSTER, GUENST AND KHAN, MARCH 20, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 29, 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 AND DOES NOT HAVE ACCESS TO THE ORIGINAL <--
12 DOCUMENT THE PERSON IS SEEKING TO REPLACE OR CORRECT is eligible
13 for a waiver of fees under subsections (b) and (c) if:

14 (1) All of the following apply:

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

1 (ii) The relief under subparagraph (i) was granted
2 no more than 90 days prior to the person applying for a
3 waiver under this section.

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

8 (2) The person DOES NOT QUALIFY UNDER PARAGRAPH (1) BUT <--
9 was the subject of abuse within the previous 120 days and the
10 abuse is verified through one of the following methods:

11 ~~(i) (A) A statement by an employee, agent or <--~~

12 (I) A STATEMENT BY AN EMPLOYEE, AGENT OR volunteer <--
13 of a victim service provider, an attorney, a medical
14 professional or a mental health professional from whom
15 the victim has sought assistance relating to the abuse,
16 including the use of a standardized form under subsection
17 (e).

18 ~~(B) A statement verifying the abuse. An <--~~

19 (II) A STATEMENT VERIFYING THE ABUSE. AN individual <--
20 who provides materially false information in the
21 statement under this clause shall be subject to a penalty
22 of \$50 plus the fee charged for the document the
23 individual sought to obtain under this section.

24 ~~(ii) The person has not filed a petition for relief <--~~
25 ~~under this chapter regarding the abuse under paragraph~~
26 ~~(1).~~

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

30 (b) Waiver of fee by Department of Transportation.--Upon

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

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

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

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

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