

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1267 Session of
1981

INTRODUCED BY FREIND, SPITZ, MICOZZIE AND CIVERA, APRIL 22, 1981

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 22, 1981

AN ACT

1 Amending the act of October 7, 1976 (P.L.1090, No.218), entitled
2 "An act relating to abuse of adults and children by a person
3 who resides with them; and providing for remedies and
4 procedures," further providing for relief under the act.

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

7 Section 1. Paragraph (5) of subsection (a) of section 6, act
8 of October 7, 1976 (P.L.1090, No.218), known as the "Protection
9 From Abuse Act," amended June 23, 1978 (P.L.513, No.81), is
10 amended to read:

11 Section 6. Relief.--(a) The court shall be empowered to
12 grant any protection order or approve any consent agreement to
13 bring about a cessation of abuse of the plaintiff or minor
14 children, which may include:

15 * * *

16 (5) After a hearing in accordance with section 5(a),
17 directing the defendant to pay financial support to such persons
18 as defendant has a duty to support. Such a support order is

1 temporary and any beneficiary of the order must petition for
2 support under the provisions of the Civil Procedural Support Act
3 within two weeks of the date of the issuance of the protection
4 order. If such a petition is not filed that portion of the
5 protection order requiring the defendant to pay support is void.
6 When there is a subsequent ruling on a petition for support
7 under the Civil Procedural Support Act the portion of the
8 protection order requiring the defendant to pay support becomes
9 void. If the defendant does not comply with any temporary
10 support order, such defendant shall be liable for reasonable
11 attorney's fees incurred by the plaintiff in seeking to enforce
12 the temporary support order, unless the defendant can show
13 justifiable cause for not complying with the order.

14 * * *

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