
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1043 Session of
2019

INTRODUCED BY PASHINSKI, ISAACSON, SHUSTERMAN, MURT, KINSEY,
READSHAW, CALTAGIRONE, MILLARD, KIRKLAND, STURLA, HILL-EVANS,
DeLUCA, CIRESI, NEILSON, SAINATO, KORTZ, CEPHAS, DRISCOLL AND
ROZZI, APRIL 2, 2019

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 2, 2019

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in protection from abuse, further
3 providing for contempt for violation of order or agreement.

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

6 Section 1. Section 6114(b) of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 6114. Contempt for violation of order or agreement.

9 * * *

10 (b) Trial and punishment.--

11 * * *

12 (1.1) A court:

13 (i) May order the defendant to undergo a drug and
14 alcohol evaluation or a mental health evaluation, or
15 both, and direct the defendant to comply with any
16 recommendations resulting from the evaluation when the
17 basis for a charge of indirect criminal contempt does not

1 include a threat to commit violence or the commission of
2 violence.

3 (ii) Shall order the defendant to undergo a drug and
4 alcohol evaluation and a mental health evaluation and
5 direct the defendant to comply with any recommendations
6 resulting from the evaluation when the basis for a charge
7 of indirect criminal contempt includes a threat to commit
8 violence or the commission of violence.

9 (iii) Shall establish a date by which the evaluation
10 shall be completed and, contemporaneous with the order,
11 shall establish a date by which the defendant shall
12 appear in court if the evaluation is not completed by the
13 established date when the court orders an evaluation
14 under this paragraph.

15 (iv) May consider the failure by the defendant to
16 obtain an evaluation under this subsection or to comply
17 with a recommendation resulting from the evaluation a
18 separate basis for contempt of court.

19 * * *

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