

AMENDMENTS TO SENATE BILL NO. 681

Sponsor: SENATOR GREENLEAF

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1 Amend Bill, page 3, by inserting between lines 5 and 6

2 "Adult." An individual who is 18 years of age or older.

3 "Certified copy." A paper copy of the original order of the
4 issuing court endorsed by the appropriate clerk of that court or
5 an electronic copy of the original order of the issuing court
6 endorsed with a digital signature of the judge or appropriate
7 clerk of that court, regardless of whether or not there is a
8 raised seal on the copy of the order of the issuing court.

9 Amend Bill, page 3, by inserting between lines 13 and 14

10 "Family or household members." Spouses or persons who have
11 been spouses, persons living as spouses or who lived as spouses,
12 parents and children, other persons related by consanguinity or
13 affinity, current or former sexual or intimate partners or
14 persons who share biological parenthood.

15 Amend Bill, page 3, by inserting between lines 20 and 21

16 "Minor." An individual who is not an adult.

17 "Plaintiff." An individual who applies for a protection
18 order, either for the benefit of that individual or on behalf of
19 another individual.

20 Amend Bill, page 4, line 1, by inserting a colon after

21 "members"

22 Amend Bill, page 4, lines 1 through 4, by striking out ", who
23 are not sexual or intimate partners or who do not" in line 1 and
24 all of lines 2 through 4

25 Amend Bill, page 4, lines 9 through 11, by striking out all
26 of said lines

27 Amend Bill, page 4, line 20, by striking out all of said line

28 Amend Bill, page 5, by inserting between lines 10 and 11

1 (c) Statewide registry.--A record and index of all valid
2 temporary and final court orders of protection issued under this
3 chapter shall be entered and maintained in the database
4 established and maintained by the Pennsylvania State Police
5 pursuant to 23 Pa.C.S. § 6105(e) (relating to responsibilities
6 of law enforcement agencies).

7 Amend Bill, page 6, line 13, by striking out "subsection" and
8 inserting

9 section

10 Amend Bill, page 6, line 21, by inserting after "order."

11 Under no circumstances shall the plaintiff be obligated
12 to serve the petition or protection order.

13 Amend Bill, page 6, lines 23 through 25, by striking out "and
14 sheriff with" in line 23 and all of lines 24 and 25 and
15 inserting

16 , sheriff and district attorney in the jurisdiction where
17 the order was entered within two business days.

18 Amend Bill, page 7, by inserting between lines 8 and 9

19 (3) Provide the plaintiff with a certified copy of any
20 protection order entered by the court.

21 (f) Effect of departure and nonresidence.--The right of the
22 plaintiff to relief under this chapter shall not be affected by
23 the defendant's absence from this Commonwealth or the
24 defendant's nonresidence in this Commonwealth, provided that the
25 court has personal jurisdiction over the defendant in accordance
26 with section 5322 (relating to bases of personal jurisdiction
27 over persons outside this Commonwealth).

28 Amend Bill, page 7, line 10, by inserting after "ten"

29 business

30 Amend Bill, page 7, line 12, by inserting after "plaintiff"

31 must assert that the plaintiff or the person on whose
32 behalf the petition is brought is a victim of sexual
33 violence committed by the defendant and

34 Amend Bill, page 7, line 17, by striking out "plaintiff
35 petitions for" and inserting

36 petitioner seeks

37 Amend Bill, page 7, line 25, by inserting after "hearings.--"

38 The court may grant a continuance of the hearing for good

1 cause shown by either party.

2 Amend Bill, page 8, line 9, by inserting after "parties"

3 and also prohibiting direct or indirect contact with
4 other designated persons

5 Amend Bill, page 8, lines 10 through 14, by striking out all
6 of lines 10 through 13 and "(3)" in line 14 and inserting

7 (2)

8 Amend Bill, page 8, line 18, by inserting after "months."

9 The court may amend its order or agreement at any time
10 upon subsequent petition filed by either party.

11 Amend Bill, page 8, lines 26 and 27, by striking out "that
12 indicate" and inserting

13 or some other circumstances that, in the discretion of
14 the court, demonstrate a

15 Amend Bill, page 9, line 14, by inserting after "is"

16 or was

17 Amend Bill, page 9, lines 15 and 16, by striking out all of
18 line 15 and "incarceration" in line 16 and inserting

19 will be released from custody in the next 90 days or has
20 been released from custody within the past 90 days

21 Amend Bill, page 9, line 22, by inserting after "defendant"

22 , the sheriff

23 Amend Bill, page 12, line 9, by inserting after "center"

24 or the plaintiff

25 Amend Bill, page 13, line 20, by inserting after "ten"

26 business

27 Amend Bill, page 14, line 4, by striking out all of said line
28 and inserting

29 (b) Procedure service.--

30 (1) Procedure for filing and service of

31 Amend Bill, page 14, by inserting between lines 6 and 7

32 (2) Nothing in this subsection is intended to expand or
33 diminish the court's authority to enter an order pursuant to
34 Pa.R.C.P. No. 1023.1 (relating to scope. signing of

1 documents. representations to the court. violation).

2 Amend Bill, page 15, line 12, by inserting after "trial"

3 on the charge of indirect criminal contempt

4 Amend Bill, page 17, line 12, by inserting after "victim"

5 who consults a sexual assault counselor for the purpose
6 of securing advice, counseling or assistance

7 Amend Bill, page 17, line 18, by striking out "a" and

8 inserting

9 the

10 Amend Bill, page 17, lines 25 through 28, by striking out

11 "Definition.--As used in this section, the term "victim" in

12 line 25, all of lines 26 and 27 and "advice, counseling or

13 assistance. The term also includes" in line 28 and inserting

14 Scope.--The provisions of this section applicable to the
15 victim shall also apply to

16 Amend Bill, page 17, line 29, by striking out "who has a

17 significant relationship with the victim and"

18 Amend Bill, page 18, line 6, by inserting after "plaintiff"

19 and the defendant

20 Amend Bill, page 18, lines 8 and 9, by striking out ", but a

21 court may not sua sponte modify the order"