

## AMENDMENTS TO SENATE BILL NO. 313

Sponsor: SENATOR BOSCOLA

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1 Amend Bill, page 1, lines 3 and 4, by striking out "and  
2 providing for shared telephone plans"

3 Amend Bill, page 1, lines 7 through 18; pages 2 and 3, lines  
4 1 through 30; page 4, lines 1 through 26; by striking out all of  
5 said lines on said pages and inserting

6 Section 1. Section 6108(a) of Title 23 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a paragraph to read:  
8 § 6108. Relief.

9 (a) General rule.--The court may grant any protection order  
10 or approve any consent agreement to bring about a cessation of  
11 abuse of the plaintiff or minor children. The order or agreement  
12 may include:

13 \* \* \*

14 (2.1) Granting the transfer of an existing wireless  
15 telephone number, including the wireless telephone numbers of  
16 minor children in the care of the plaintiff, to the plaintiff  
17 when the billing responsibility for and rights to the  
18 wireless telephone number belong to the defendant as the  
19 account holder. The following apply:

20 (i) The order shall be a separate order that is  
21 directed to the wireless telephone service provider. The  
22 order shall list the name and billing telephone number of  
23 the defendant, the name and contact information of the  
24 plaintiff to whom the wireless telephone number will be  
25 transferred and the wireless telephone number to be  
26 transferred to the plaintiff. The court shall ensure that  
27 the contact information of the plaintiff is not provided  
28 to the defendant in proceedings held under section 6112  
29 (relating to disclosure of addresses).

30 (ii) The order shall be served on the wireless  
31 service provider. The wireless service provider shall  
32 establish protocols to respond to the order issued under  
33 this subparagraph.

34 (iii) If applicable, the wireless service provider  
35 shall notify the court and plaintiff within three

1 business days of receipt of the order that the wireless  
2 service provider cannot operationally or technically  
3 effectuate the order due to certain circumstances,  
4 including, but not limited to, the following:

5 (A) The defendant has already terminated the  
6 account.

7 (B) Differences in wireless network technology  
8 prevent the functionality of a device on the network.

9 (C) There are geographic or other limitations on  
10 the wireless network or service availability.

11 (iv) Upon transfer of billing responsibility for and  
12 rights to the wireless telephone number to a plaintiff  
13 under this paragraph, the plaintiff shall assume all  
14 financial responsibility for the transferred wireless  
15 telephone number, monthly service costs and costs for the  
16 mobile device attached to the wireless telephone number.

17 (v) Wireless service providers shall apply routine  
18 and customary requirements for account establishment for  
19 the plaintiff as part of the transfer of billing  
20 responsibility for wireless telephone numbers and any  
21 mobile devices attached to the wireless telephone numbers  
22 under this paragraph, including, but not limited to,  
23 identification, financial information and customer  
24 preferences.

25 (vi) Nothing in this paragraph shall be construed  
26 to affect the ability of the court to apportion the  
27 assets and debts of the plaintiff and defendant as  
28 provided by the laws of this Commonwealth or the ability  
29 to determine the temporary use, possession and control of  
30 personal property under this chapter.

31 (vii) No cause of action shall be brought against a  
32 wireless telephone service provider or the wireless  
33 telephone service provider's officers, employees or  
34 agents, for actions taken in accordance with the terms of  
35 an order issued under this paragraph.

36 (viii) The Unified Judicial System of Pennsylvania  
37 shall, no later than July 1, 2018, develop any forms or  
38 rules necessary to effectuate this paragraph.

39 \* \* \*

40 Section 2. This act shall take effect July 1, 2018, or  
41 immediately, whichever is later.