

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1970 Session of  
2003

INTRODUCED BY PAYNE, BROWNE, CORRIGAN, CRAHALLA, CRUZ,  
DENLINGER, FRANKEL, FREEMAN, GINGRICH, HARHAI, HARRIS,  
HENNESSEY, HORSEY, JAMES, KIRKLAND, LEACH, MELIO, R. MILLER,  
O'NEILL, PHILLIPS, SCAVELLO, SEMMEL, E. Z. TAYLOR, J. TAYLOR,  
THOMAS, TIGUE AND YOUNGBLOOD, SEPTEMBER 9, 2003

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 9, 2003

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, further providing for relief.

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

5 Section 1. Section 6108(a)(7) of Title 23 of the  
6 Pennsylvania Consolidated Statutes is amended to read:

7 § 6108. Relief.

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

12 \* \* \*

13 (7) Ordering the defendant to temporarily relinquish to  
14 the sheriff the defendant's weapons [which] whether or not  
15 the weapons have been used or been threatened to be used in  
16 an incident of abuse against the plaintiff or the minor

1 children and prohibiting the defendant from acquiring or  
2 possessing any other weapons for the duration of the order  
3 and requiring the defendant to relinquish to the sheriff any  
4 firearm license the defendant may possess. The court's order  
5 shall provide for a search of the defendant's premises and  
6 any other location the defendant's weapons are likely to be  
7 found. The court's order shall provide for the return of the  
8 weapons and any firearm license to the defendant subject to  
9 any restrictions and conditions as the court shall deem  
10 appropriate to protect the plaintiff or minor children from  
11 further abuse through the use of weapons. A copy of the  
12 court's order shall be transmitted to the chief or head of  
13 the police force or police department of the municipality and  
14 to the sheriff of the county of which the defendant is a  
15 resident.

16 \* \* \*

17 Section 2. The amendment of 23 Pa.C.S. § 6108(a)(7) shall  
18 apply to petitions filed on or after the effective date of this  
19 act.

20 Section 3. This act shall take effect in 60 days.