

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2394 Session of
2012

INTRODUCED BY GIBBONS, STEVENSON, BARBIN, CREIGHTON, HARHART,
HORNAMAN, KORTZ AND MIRABITO, MAY 21, 2012

REFERRED TO COMMITTEE ON JUDICIARY, MAY 21, 2012

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in divorce, further providing for
3 equitable division of marital property.

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

6 Section 1. Section 3502 of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 3502. Equitable division of marital property.

9 * * *

10 (a.1) Military pay.--The court, under 10 U.S.C. § 1408(c)
11 (relating to payment of retired or retainer pay in compliance
12 with court orders), may treat disposable retired pay or retainer
13 pay payable to a military member either as property solely of
14 the member or as property of the member and the spouse of the
15 member. If the court determines that the disposable retired pay
16 or retainer pay of a military member is marital property, the
17 court shall calculate the amount consistently with the rank, pay
18 grade and time of service of the member at the time of

1 separation.

2 * * *

3 Section 2. The addition of 23 Pa.C.S. § 3502(a.1) shall
4 apply to actions commenced on or after the effective date of
5 this section.

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