
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1632 Session of
2017

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FITZGERALD AND COMMITTA, JUNE 28, 2017

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 28, 2017

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in protection from abuse, further
3 providing for relief and providing for shared telephone
4 plans.

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

7 Section 1. Section 6108 of Title 23 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subsection to read:

9 § 6108. Relief.

10 * * *

11 (i) Shared telephone plans.--

12 (1) If a plaintiff is a party to a telephone plan
13 contract held by and in the name of the defendant, or a
14 relative of the defendant, in a protection order or consent
15 agreement approved by the court in accordance with subsection
16 (a), the court shall:

17 (i) Order the defendant to remove the plaintiff as a

1 party to the telephone plan contract within three
2 calendar days.

3 (ii) Order the defendant to pay a surcharge, early
4 termination fee or other penalty that may be incurred as
5 a result of removing the plaintiff as a party to the
6 telephone plan contract.

7 (2) Failure to remove the plaintiff as a party to the
8 shared telephone contract shall be subject to the penalties
9 as prescribed in sections 6113 (relating to arrest for
10 violation of order) and 6114 (relating to contempt for
11 violation of order or agreement).

12 (3) As used in this subsection, the following words and
13 phrases shall have the meanings given to them in this
14 paragraph unless the context clearly indicates otherwise:

15 "Shared telephone plan." A package of services offered
16 to subscribers at a set monthly access fee or rate by a
17 telecommunications service provider, including, but not
18 limited to, voice, messaging, data, Internet access and
19 television content under a telephone plan contract.

20 "Telecommunications service provider." A company,
21 including a provider of cable television, that supplies
22 customers with telecommunications services, including land
23 line and wireless telephone services, Internet access, data
24 and the delivery of television content.

25 "Telephone plan contract." A shared telephone plan that
26 allows a customer to share minutes and other services with
27 another individual under one account or as parties to one
28 contract with a telecommunications service provider,
29 regardless of whether the plan is a shared-minute plan or
30 family plan.

1 Section 2. Title 23 is amended by adding a section to read:

2 § 6108.6. Shared telephone plans.

3 (a) General rule.--

4 (1) A telecommunications service provider shall allow an
5 individual who is a party to a telephone plan contract with
6 the provider and a victim of domestic violence involving
7 another individual who is a party to the same telephone plan
8 contract to opt out of the telephone plan contract without
9 charge. A request to opt out of a telephone plan contract
10 must be in writing and include one of the following documents
11 which must relate to the domestic violence:

12 (i) A valid police report.

13 (ii) A valid protection from abuse order.

14 (iii) A signed affidavit from a licensed medical or
15 mental health care provider, an employee of a court
16 acting within the scope of employment, a social worker, a
17 rape crisis counselor, a domestic violence counselor or
18 an advocate acting on behalf of an agency that assists
19 domestic violence victims.

20 (2) A request to opt out of a telephone plan contract
21 shall be made in good faith and the telecommunications
22 service provider shall waive the otherwise applicable fees or
23 charges for the individual making the request.

24 (3) If an individual requests an accommodation under
25 this section, the telecommunications service provider shall
26 provide, at no additional charge to the individual, a new
27 telephone number within 24 hours from the time the request is
28 made.

29 (b) Deadline for providing documents.--A document provided
30 to a telecommunications service provider by an individual

1 seeking to opt out of a telephone plan contract in accordance
2 with subsection (a) must be:

3 (1) submitted to the telecommunications service provider
4 at the time the request to opt out is made;

5 (2) issued no more than six months before the opt-out
6 request.

7 (c) Retention and confidentiality of documents.--

8 (1) A telecommunications service provider that receives
9 a written request accompanied by the necessary documentation
10 to opt out of a telephone plan contract in accordance with
11 this section may retain the documentation or return it to the
12 individual seeking to opt out.

13 (2) Documentation provided to a telecommunications
14 service provider by a victim of domestic violence shall be
15 considered confidential communications and, if retained by
16 the telecommunications service provider, shall be subject to
17 the confidentiality requirements under Federal or State law.

18 (d) Applicability.--This section shall apply to telephone
19 plan contracts entered into on or after the effective date of
20 this section.

21 (e) Definitions.--For the purposes of this section, the
22 terms "telecommunications service provider" and "telephone plan
23 contract" shall have the meanings given to them in section
24 6108(i)(3) (relating to relief).

25 Section 3. This act shall take effect as follows:

26 (1) The addition of 23 Pa.C.S. § 6108(i) shall take
27 effect immediately.

28 (2) This section shall take effect immediately.

29 (3) The remainder of this act shall take effect in 60
30 days.