



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 12

PRINTERS NO. 2472

PRIME SPONSOR: Schlossberg

### COST / (SAVINGS)

FUND	FY 2015/16	FY 2016/17
General Fund	\$0	\$0

**SUMMARY:** House Bill 12, Printer's Number 2472, amends Title 23 (Domestic Relations) regarding divorce by mutual consent and counseling requirements. This legislation is effective in 60 days.

**ANALYSIS:** This legislation amends Chapter 33 of the Domestic Relations Code (relating to dissolution of marital status) to address situations where one spouse has committed a personal injury crime against the other as follows:

- When a spouse is convicted of a personal injury crime, that spouse is presumed to have consented to the divorce, regardless of actual consent.
- A spouse who was a victim of a personal injury crime in which the offending spouse was convicted or accepted into an Accelerated Rehabilitative Disposition program, or who has an active protection from abuse order may not be compelled into marital counseling.

A personal injury crime is defined as a misdemeanor or felony, including attempt, solicitation or conspiracy to commit a misdemeanor or felony, under any of the following:

- Title 18 (Crimes Code)
  - Ch. 25 (relating to criminal homicide).
  - Ch. 27 (relating to assault).
  - Ch. 29 (relating to kidnapping).
  - Ch. 30 (relating to human trafficking).
  - Ch. 31 (relating to sexual offenses).
  - § 3301 (relating to arson and related offenses).
  - Ch. 37 (relating to robbery).
  - Ch. 49 Subchapter B (relating to victim and witness intimidation).
- Title 75 (Vehicle Code)
  - § 3732 (relating to homicide by vehicle).
  - § 3742 (relating to accidents involving death or personal injury).

**FISCAL IMPACT:** Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds.

**PREPARED BY:** Ann Bertolino  
House Appropriations Committee (R)

**DATE:** November 9, 2015

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*