

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 689

PRINTER'S NO. 677

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 14, 2013

PRIME SPONSOR

Senator Corman

HISTORY OF BILL

Referred to JUDICIARY, March 14, 2013
Reported as committed, April 9, 2013
First consideration, April 9, 2013
Second consideration, April 16, 2013
Re-referred to APPROPRIATIONS, April 16, 2013
Re-reported as committed, April 29, 2013

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 689 amends Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to provide for prevention of abduction of children.

Specifically, this legislation enacts the Uniform Child Abduction Prevention Act as Chapter 52 of Title 23. The purpose of the Uniform Child Abduction Prevention Act is to provide the courts with guidelines to follow during custody disputes and divorce proceedings, to help the courts identify families at risk for abduction, and to provide methods to prevent the abduction of children in such cases.

Act 112-2010 amended Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) relating to child custody provisions within the Commonwealth in general, but did not address child custody issues related to a spouse abducting a child and moving them to a foreign country or another state. This legislation addresses these issues as well as the others mentioned above. Additionally, this legislation does the following:

- Allows for a court to order abduction prevention measures and issue a warrant to take physical custody of a child;
- Sets forth the contents of a petition for abduction prevention measures;
- Sets forth factors a court shall consider in determining whether there is a risk of abduction;
- Sets forth certain relevant information a court order must include, including requiring a party to post a bond so that if an abduction occurs the proceeds may be expended to locate the child; and

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

- Allows the court to issue a warrant to search relevant databases of the National Crime Information Center (NCIC) and similar state databases to determine if either the petitioner or respondent has a history of domestic violence, stalking, child abuse or neglect.

This act shall take effect in 90 days.

FISCAL IMPACT:

According to the Administrative Office of Pennsylvania Courts (AOPC), all dependency actions are recorded in the Common Pleas Case Management System (CPCMS). AOPC has advised that minor changes to the CPCMS will be required and that such changes would have no fiscal impact on Commonwealth funds.