

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1816 Session of
1979

INTRODUCED BY GRIECO, LETTERMAN, CIMINI, PETERSON, VROON, WARGO,
SHUPNIK, SCHMITT, MRKONIC, HALVERSON, STAIRS, BURD, MADIGAN,
FISCHER AND SIEMINSKI, OCTOBER 11, 1979

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 11, 1979

AN ACT

1 Amending the act of October 7, 1976 (P.L.1090, No.218), entitled
2 "An act relating to abuse of adults and children by a person
3 who resides with them; and providing for remedies and
4 procedures," further providing for emergency relief.

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

7 Section 1. Section 8, act of October 7, 1976 (P.L.1090,
8 No.218), known as the "Protection From Abuse Act," amended June
9 23, 1978 (P.L.513, No.81), is amended to read:

10 Section 8. Emergency Relief.--(a) When the court is
11 unavailable [from the close of business at the end of the week
12 to the resumption of business at the beginning of the week] a
13 petition may be filed before a district justice or Philadelphia
14 Municipal Court Judge who may grant relief in accordance with
15 section 6(a), (2) or (3) if the district justice or Philadelphia
16 Municipal Court Judge deems it necessary to protect the
17 plaintiff or minor children from abuse, upon good cause shown in
18 an ex-parte proceeding. Immediate and present danger of abuse to

1 the plaintiff or minor children shall constitute good cause for
2 purposes of this section.

3 (b) Any order issued under subsection (a) shall expire as of
4 the resumption of business of the court [at the beginning of the
5 week] or within 72 hours, whichever occurs sooner; at which
6 time, the plaintiff may seek a temporary order from the court.

7 (c) Any order issued under this section and any
8 documentation in support thereof shall be immediately certified
9 to the court. Such certification to the court shall have the
10 effect of commencing proceedings under section 4 and invoking
11 the other provisions of this act.

12 Section 2. This act shall take effect in 30 days.