

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 359 Session of 1999

INTRODUCED BY FEESE, L. I. COHEN, ORIE, SCRIMENTI, GEIST,
HERMAN, READSHAW, CORNELL, CORRIGAN, E. Z. TAYLOR, SURRA,
COLAFELLA, MAJOR, TIGUE, J. TAYLOR, GIGLIOTTI, HENNESSEY,
WILLIAMS, ROSS, SEYFERT, CHADWICK, ROBINSON, M. COHEN,
FREEMAN, PLATTS, HARHART, YOUNGBLOOD, HARHAI, BROWNE,
STEELMAN, BENNINGHOFF AND PETRARCA, FEBRUARY 8, 1999

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 8, 1999

AN ACT

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

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

6 Section 1. The definition of "abuse" in section 6102(a) of
7 Title 23 of the Pennsylvania Consolidated Statutes is amended
8 and the subsection is amended by adding a definition to read:
9 § 6102. Definitions.

10 (a) General rule.--The following words and phrases when used
11 in this chapter shall have the meanings given to them in this
12 section unless the context clearly indicates otherwise:

13 "Abuse." The occurrence of one or more of the following acts
14 between family or household members, sexual or intimate
15 partners, persons engaged in a substantive dating relationship
16 or persons who share biological parenthood:

1 (1) Attempting to cause or intentionally, knowingly or
2 recklessly causing bodily injury, serious bodily injury,
3 rape, involuntary deviate sexual intercourse, sexual assault,
4 statutory sexual assault, aggravated indecent assault,
5 indecent assault or incest with or without a deadly weapon.

6 (2) Placing another in reasonable fear of imminent
7 serious bodily injury.

8 (3) The infliction of false imprisonment pursuant to 18
9 Pa.C.S. § 2903 (relating to false imprisonment).

10 (4) Physically or sexually abusing minor children,
11 including such terms as defined in Chapter 63 (relating to
12 child protective services).

13 (5) Knowingly engaging in a course of conduct or
14 repeatedly committing acts toward another person, including
15 following the person, without proper authority, under
16 circumstances which place the person in reasonable fear of
17 bodily injury. The definition of this paragraph applies only
18 to proceedings commenced under this title and is inapplicable
19 to any criminal prosecutions commenced under Title 18
20 (relating to crimes and offenses).

21 * * *

22 "Persons engaged in a substantive dating relationship."
23 Persons found by the court to be currently or fairly recently
24 engaged in a relationship:

25 (1) in which there is possible sexual attraction for
26 either party;

27 (2) which has been ongoing for a substantial period of
28 time; and

29 (3) in which there was reasonably frequent interaction
30 between the parties.

1 * * *

2 Section 2. Section 6108(a) of Title 23 is amended by adding
3 a paragraph to read:

4 § 6108. Relief.

5 (a) General rule.--The court may grant any protection order
6 or approve any consent agreement to bring about a cessation of
7 abuse of the plaintiff or minor children. The order or agreement
8 may include:

9 * * *

10 (9.1) Directing the defendant to participate in a
11 program of counseling or therapy.

12 * * *

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