

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1027 Session of  
2007

INTRODUCED BY MOUL, MARSICO, STERN, RUBLEY, ARGALL, BASTIAN,  
BEAR, BOYD, CAPPELLI, COX, CREIGHTON, CURRY, CUTLER,  
DePASQUALE, EVERETT, GEIST, GRELL, HENNESSEY, JOSEPHS,  
KAUFFMAN, M. KELLER, KING, MACKERETH, MANTZ, R. MILLER,  
MOYER, MURT, NICKOL, PETRARCA, PETRONE, PICKETT, PYLE, QUINN,  
READSHAW, ROAE, SONNEY, VULAKOVICH AND YOUNGBLOOD,  
APRIL 5, 2007

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 5, 2007

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, further providing for willful failure  
3 to pay support order.

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

6 Section 1. Section 4354 of the Title 23 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 4354. Willful failure to pay support order.

9 (a) Offense defined.--An individual who willfully fails to  
10 comply with a support order of a court of this Commonwealth when  
11 the individual has the financial ability to comply with the  
12 support order commits [a summary offense] an offense.

13 (b) Application.--This section applies to all support cases,  
14 whether civil or criminal and whether the defendant is married,  
15 unmarried, separated or divorced.

16 (c) Jurisdiction.--Exclusive original jurisdiction of a

1 proceeding under this section is vested in the courts of common  
2 pleas of this Commonwealth.

3 (d) Grading.--

4 (1) Except as otherwise provided for in paragraph (2),  
5 an offense under this section shall constitute a summary  
6 offense.

7 (2) An offense shall be graded a misdemeanor of the  
8 third degree if either of the following apply:

9 (i) the offense is a second or subsequent offense  
10 under this section; or

11 (ii) the obligor owes support in an amount equal to  
12 or greater than 12 months of the monthly support  
13 obligation.

14 Section 2. This act shall take effect in 60 days.