

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1230 Session of
2007

INTRODUCED BY BELFANTI, MILLARD, GEIST, GOODMAN, CAPPELLI, BOYD,
CALTAGIRONE, DeLUCA, GERGELY, HARPER, HERSHEY, KILLION,
KIRKLAND, LONGIETTI, MAHONEY, MARKOSEK, R. MILLER, MURT,
PETRONE, SONNEY, STABACK, SURRA, VEREB, WOJNAROSKI AND
YOUNGBLOOD, MAY 4, 2007

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JULY 03, 2007

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing for publication of
3 delinquent support obligors AND FOR IDENTIFYING INFORMATION <—
4 IN PROTECTION FROM ABUSE ORDERS.

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

7 Section 1. ~~Section 4309(a) and (b)~~ SECTIONS 4309 AND 6108(B) <—
8 of Title 23 of the Pennsylvania Consolidated Statutes are
9 amended to read:

10 § 4309. Publication of delinquent support obligors.

11 (a) General rule.--Any county, through its domestic
12 relations section, may publish the names and photographs of
13 [delinquent] support obligors who are [in arrears 30] delinquent
14 90 days or more in the payment of overdue support in newspapers
15 of general or special circulation in the county, and on the
16 official Internet website of the county. PRIOR TO PUBLICATION OF <—
17 A PHOTOGRAPH OF A DELINQUENT SUPPORT OBLIGOR, THE COUNTY SHALL

1 OBTAIN THE WRITTEN AUTHORIZATION OF THE CUSTODIAL PARENT. THE
2 COUNTY SHALL MAKE REASONABLE EFFORTS TO ENSURE THAT THE
3 PHOTOGRAPH DEPICTS THE OBLIGOR NAMED. IF A PHOTOGRAPH OF THE
4 OBLIGOR IS NOT IN POSSESSION OF THE COUNTY, COURT OR LAW
5 ENFORCEMENT AGENCY, THE CUSTODIAL PARENT SHALL CERTIFY IN
6 WRITING THAT THE PHOTOGRAPH DEPICTS THE OBLIGOR NAMED.

7 (b) Immunity.--The county, its officials and newspapers, and
8 publishers of electronic media shall be immune from any and all
9 criminal and civil liability as a result of the publication of
10 names, photographs and identities under subsection (a), unless
11 the publication is a result of intentional misconduct by the
12 county, its officials or newspapers, or publishers of electronic
13 media. IF A PHOTOGRAPH IS PUBLISHED MISTAKENLY, THE PUBLISHER <—
14 SHALL MAKE AN EFFORT TO REMEDY THE ERROR WITH A PROMINENT
15 RETRACTION.

16 § 6108. RELIEF.

17 * * *

18 (B) IDENTIFYING INFORMATION.--ANY ORDER ISSUED UNDER THIS
19 SECTION SHALL, WHERE FURNISHED BY EITHER PARTY, SPECIFY THE
20 SOCIAL SECURITY NUMBER AND DATE OF BIRTH OF THE DEFENDANT. ANY
21 PORTION OF AN ORDER, PETITION OR OTHER PAPER THAT INCLUDES A
22 DEFENDANT'S SOCIAL SECURITY NUMBER SHALL BE KEPT IN THE FILES OF
23 THE COURT AS A PERMANENT RECORD AND WITHHELD FROM PUBLIC
24 INSPECTION EXCEPT:

25 (1) UPON AN ORDER OF THE COURT GRANTED UPON CAUSE SHOWN;

26 (2) AS NECESSARY, BY LAW ENFORCEMENT AND COURT
27 PERSONNEL; OR

28 (3) AFTER REDACTION OF INFORMATION LISTING A DEFENDANT'S
29 SOCIAL SECURITY NUMBER.

30 * * *

1 Section 2. This act shall take effect immediately.