

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 920 Session of 2009

INTRODUCED BY WASHINGTON, ALLOWAY, ERICKSON, FONTANA, HUGHES, KITCHEN, McILHINNEY, MELLOW, MUSTO, O'PAKE, RAFFERTY, LEACH, STACK, STOUT, TARTAGLIONE, YAW, FARNESE, D. WHITE AND BROWNE, JUNE 5, 2009

REFERRED TO JUDICIARY, JUNE 5, 2009

AN ACT

1 Amending Titles 23 (Domestic Relations) and 42 (Judiciary and
2 Judicial Procedure) of the Pennsylvania Consolidated
3 Statutes, providing for funding for victims of domestic
4 violence from marriage and divorce fees; and making a related
5 repeal.

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

8 Section 1. Section 1105(a) of Title 23 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 1105. Fees.

11 (a) General rule.--The fee to be charged for issuing a
12 marriage license or declaration and for returns thereof to the
13 department shall be [\$3] \$38 of which \$2.50 shall be retained by
14 the county wherein the license is issued and [50¢] \$35.50 shall
15 be remitted to the Commonwealth. The money remitted to the
16 Commonwealth shall be transferred, by the tenth day of the month
17 after which it is collected, to the State Treasurer, and it
18 shall be placed in the General Fund. Of the money remitted to

1 the Commonwealth, \$35 shall be forwarded to the Department of
2 Public Welfare for use for victims of domestic violence in
3 accordance with the provisions of section 2333 of the act of
4 April 9, 1929 (P.L.177, No.175), known as The Administrative
5 Code of 1929. The Commonwealth shall certify that the money will
6 not be used to supplant Federal and State funds otherwise
7 available for domestic violence services.

8 * * *

9 Section 2. Title 42 is amended by adding a section to read:
10 \$ 3576. Divorce fees.

11 (a) Fee.--A fee of \$25 shall be charged for the commencement
12 of an action for divorce or an action for annulment of marriage.

13 (b) Use.--The money collected under subsection (a) shall be
14 transferred to the State Treasurer, and it shall be placed in
15 the General Fund. The money shall be forwarded to the Department
16 of Public Welfare for use for victims of domestic violence in
17 accordance with the provisions of section 2333 of the act of
18 April 9, 1929 (P.L.177, No.175), known as The Administrative
19 Code of 1929. The Commonwealth shall certify that the money will
20 not be used to supplant Federal and State funds otherwise
21 available for domestic violence services.

22 Section 3. Repeals are as follows:

23 (1) The General Assembly declares that the repeal under
24 paragraph (2) is necessary to effectuate the amendment of 23
25 Pa.C.S. § 1105(a).

26 (2) Section 19 of the act of August 22, 1953 (P.L.1344,
27 No.383), entitled "An act relating to marriage; and amending,
28 revising, consolidating and changing the law relating
29 thereto," is repealed.

30 Section 4. This act shall take effect in 60 days.