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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1560 Session of  
2013

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INTRODUCED BY SCHLOSSBERG, O'BRIEN, MCNEILL, CALTAGIRONE,  
STEPHENS, B. BOYLE, YOUNGBLOOD, V. BROWN, DERMODY, SWANGER,  
MUNDY, PARKER, FREEMAN, BROWNLEE, TRUITT, THOMAS, BIZZARRO,  
PAINTER, DeLUCA, FARINA, MOLCHANY, WHITE, COHEN AND MURT,  
JUNE 19, 2013

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REFERRED TO COMMITTEE ON JUDICIARY, JUNE 19, 2013

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in dissolution of marital status,  
3 further providing for grounds for divorce and for counseling.

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

6 Section 1. Sections 3301(e) and 3302(c) of Title 23 of the  
7 Pennsylvania Consolidated Statutes are amended and the sections  
8 are amended by adding subsections to read:

9 § 3301. Grounds for divorce.

10 \* \* \*

11 (b.1) Crime against spouse.--The court may grant a divorce  
12 where it is alleged that the marriage is irretrievably broken  
13 and 90 days have elapsed from the date of commencement of an  
14 action under this part and an affidavit along with any other  
15 relevant supporting documentation has been filed by a party  
16 evidencing that the other party has been convicted of or has  
17 pleaded guilty or no contest to a crime against spouse.

1 \* \* \*

2 (e) No hearing required in certain cases.--If grounds for  
3 divorce alleged in the complaint or counterclaim are established  
4 under subsection (b.1), (c) or (d), the court shall grant a  
5 divorce without requiring a hearing on any other grounds.

6 (f) Definition.--As used in this section, the term "crime  
7 against spouse" shall mean an offense under 18 Pa.C.S. (relating  
8 to crimes and offenses) where the party filing the affidavit was  
9 the victim of the offense.

10 § 3302. Counseling.

11 \* \* \*

12 (c) Irretrievable breakdown.--

13 (1) Whenever the court orders a continuation period as  
14 provided for irretrievable breakdown in section 3301(d)(2),  
15 the court shall require up to a maximum of three counseling  
16 sessions within the time period where either of the parties  
17 requests it or may require such counseling where the parties  
18 have at least one child under 16 years of age.

19 (2) Notwithstanding paragraph (1), if a party files an  
20 affidavit along with any other relevant supporting  
21 documentation with the court evidencing:

22 (i) that the party was or is protected by an order  
23 enforceable under Chapter 61 (relating to protection from  
24 abuse) in which the other party is the named defendant;  
25 or

26 (ii) that the other party was convicted of or has  
27 pleaded guilty or no contest to a crime against spouse,  
28 the court shall not order counseling sessions.

29 \* \* \*

30 (g) Definition.--As used in this section, the term "crime

1 against spouse" shall have the same meaning given to it in  
2 section 3301(f) (relating to grounds for divorce).

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