
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 12 Session of
2015

INTRODUCED BY SCHLOSSBERG, SCHWEYER, YOUNGBLOOD, FREEMAN,
KINSEY, THOMAS, O'BRIEN, McNEILL, DAVIDSON, V. BROWN,
CARROLL, STEPHENS, SANTARSIERO, COHEN, MURT, D. COSTA,
M. DALEY, BROWNLEE, READSHAW AND ROSS, JANUARY 21, 2015

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 21, 2015

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.