

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1687 Session of 2015

INTRODUCED BY BOBACK, THOMAS, ROZZI, DEAN, STEPHENS, KIM, CALTAGIRONE, V. BROWN, McNEILL, D. COSTA, DAVIS, JAMES, DONATUCCI, GROVE, PHILLIPS-HILL, BARRAR, NEILSON, WATSON, KAUFFMAN, HARHART, READSHAW, R. BROWN, SCHWEYER, CORBIN, LEWIS, KINSEY, KLUNK, TOEPEL, QUINN, WARD, EVERETT, PASHINSKI, HARHAI, SAYLOR, MARSICO, O'BRIEN, MAJOR, VEREB AND COHEN, NOVEMBER 12, 2015

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 12, 2015

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
 2 Consolidated Statutes, in protection from abuse, providing  
 3 for waiver of fee for corrected or duplicate State documents.

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

6 Section 1. Title 23 of the Pennsylvania Consolidated  
 7 Statutes is amended by adding a section to read:

8 § 6123. Waiver of fee for corrected or duplicate State  
 9 documents.

10 (a) Requirements for waiver.--A person who satisfies the  
 11 following requirements is eligible for a waiver of fees under  
 12 subsections (b) and (c):

13 (1) The person has been granted relief under section  
 14 6107(b) (relating to hearings) or 6108 (relating to relief).

15 (2) The relief under paragraph (1) was granted no more  
 16 than 90 days prior to the person applying for a waiver under

1 this section.

2 (3) As a result of the abuse which is the subject of the  
3 relief under paragraph (1), the person does not have access  
4 to the original documents that are being replaced or  
5 corrected.

6 (a.1) Alternate requirements for waiver.--Alternatively, a  
7 person who satisfies the following requirements is eligible for  
8 waiver of fees under subsections (b) and (c):

9 (1) The person was the subject of abuse within the  
10 previous 120 days and the abuse is verified through one of  
11 the following methods:

12 (i) A statement by an employee, agent or volunteer  
13 of a victim service provider, an attorney, a medical  
14 professional or a mental health professional from whom  
15 the victim has sought assistance relating to the abuse.

16 (ii) A statement subject to 18 Pa.C.S. § 4904(b)  
17 (relating to unsworn falsification to authorities) from  
18 the person. The provisions of 18 Pa.C.S. § 1104 (relating  
19 to sentence of imprisonment for misdemeanors) shall not  
20 apply to a violation of this subparagraph.

21 (2) The person has not filed a petition for relief under  
22 this chapter regarding the abuse under paragraph (1).

23 (3) As a result of the abuse under paragraph (1), the  
24 person does not have access to the original documents that  
25 are being replaced or corrected.

26 (b) Waiver of fee by Department of Transportation.--Upon  
27 application of a person who qualifies under subsection (a) or  
28 (a.1), the Department of Transportation shall waive the fee for  
29 a duplicate or corrected certificate of title, photo  
30 identification card, noncommercial driver's license, commercial

1 driver's license, camera card, learner's permit or registration  
2 card. A qualifying person with dependents shall also receive a  
3 waiver of fee under this section for a duplicate or corrected  
4 document for the person's dependents.

5 (c) Waiver of fee by Department of Health.--Upon application  
6 of a person who qualifies under subsection (a) or (a.1), the  
7 Department of Health shall waive the fee for a certified copy of  
8 birth record. A qualifying person with dependents shall also  
9 receive a waiver of fee under this section for a duplicate or  
10 corrected document for the person's dependents.

11 (d) Implementation by agencies.--Within 90 days of the  
12 effective date of this section, the Department of Transportation  
13 and the Department of Health shall establish a statement of  
14 policy providing for applications made under subsection (b) or  
15 (c), as applicable. A statement of policy under this subsection  
16 must be made available on the agency's publicly accessible  
17 Internet website and must be reviewed by the agency at least  
18 every five years.

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