

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 139 Session of 2017

INTRODUCED BY MOUL, MILLARD, WATSON, TALLMAN, WARD, D. COSTA,
A. HARRIS AND TOEPEL, JANUARY 23, 2017

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 23, 2017

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in support matters generally,
3 providing for indirect criminal contempt for violation of
4 support order.

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

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

9 § 4345.1. Indirect criminal contempt for violation of support
10 order.

11 (a) Filing of charge.--The domestic relations section or the
12 district attorney may file and prosecute charges of indirect
13 criminal contempt alleging that an obligor has willfully
14 violated a support order.

15 (b) Determination.--Where a court finds that an obligor has
16 willfully violated a support order or another order of court
17 related to a support order, the court may hold the obligor in
18 indirect criminal contempt and punish the obligor in accordance
19 with this section.

1 (c) Trial and punishment.--A sentence for indirect criminal
2 contempt shall be punishable by any one or more of the
3 following:

4 (1) A fine not to exceed \$1,000.

5 (2) Imprisonment for a period not to exceed six months.

6 (3) Probation for a period not to exceed one year.

7 (4) An order for other relief.

8 (d) Obligor.--The obligor shall not have a right to a jury
9 trial on a charge of indirect criminal contempt. However, the
10 obligor shall be entitled to counsel.

11 (e) Multiple remedies.--Disposition of a charge of indirect
12 criminal contempt shall not preclude the prosecution of other
13 criminal charges associated with the incident giving rise to the
14 contempt, nor shall disposition of other criminal charges
15 preclude prosecution of indirect criminal contempt associated
16 with the conduct giving rise to the charges.

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