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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1100 Session of  
2017

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INTRODUCED BY NEUMAN, DEAN, SNYDER, DRISCOLL, DAVIS,  
SCHLOSSBERG, THOMAS, BAKER, SOLOMON, McNEILL, MILLARD,  
W. KELLER AND DeLUCA, APRIL 7, 2017

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 7, 2017

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in protection from abuse, further  
3 providing for commencement of proceedings and for hearings.

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

6 Section 1. Sections 6106(g) and 6107(a) and (b)(2) of Title  
7 23 of the Pennsylvania Consolidated Statutes are amended to  
8 read:

9 § 6106. Commencement of proceedings.

10 \* \* \*

11 (g) Service of petition and orders.--The petition and orders  
12 shall be served upon the defendant within 24 hours of issuance  
13 by the court, and orders shall be served upon the police  
14 departments and sheriff with appropriate jurisdiction to enforce  
15 the orders. Orders shall be promptly served on the police and  
16 sheriff. Failure to serve shall not stay the effect of a valid  
17 order.

18 \* \* \*

1 § 6107. Hearings.

2 (a) General rule.--Within [ten] three business days of the  
3 filing of a petition under this chapter, a hearing shall be held  
4 before the court, at which the plaintiff must prove the  
5 allegation of abuse by a preponderance of the evidence. The  
6 court shall, at the time the defendant is given notice of the  
7 hearing, advise the defendant of the right to be represented by  
8 counsel, of the possibility that any firearm, other weapon or  
9 ammunition owned and any firearm license possessed may be  
10 ordered temporarily relinquished, of the options for  
11 relinquishment of a firearm pursuant to this chapter, of the  
12 possibility that Federal law may prohibit the possession of  
13 firearms, including an explanation of 18 U.S.C. § 922(g)(8)  
14 (relating to unlawful acts), and that any protection order  
15 granted by a court may be considered in any subsequent  
16 proceedings under this title. This notice shall be printed and  
17 delivered in a manner which easily attracts attention to its  
18 content and shall specify that child custody is one of the  
19 proceedings where prior protection orders may be considered.

20 (b) Temporary orders.--

21 \* \* \*

22 (2) The court may enter such a temporary order as it  
23 deems necessary to protect the plaintiff or minor children  
24 when it finds they are in immediate and present danger of  
25 abuse. The order shall remain in effect until modified or  
26 terminated by the court after notice and hearing. Nothing in  
27 this section shall prevent a court from extending a temporary  
28 order under an additional ex parte proceeding.

29 \* \* \*

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