
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 125 Session of
2019

INTRODUCED BY BOSCOLA, COSTA, HUGHES, FONTANA, BLAKE, SCHWANK,
GORDNER, BROWNE, MENSCH, BREWSTER, HAYWOOD, SANTARSIERO,
BARTOLOTTA, KILLION, MARTIN, PHILLIPS-HILL AND K. WARD,
APRIL 3, 2019

REFERRED TO JUDICIARY, APRIL 3, 2019

AN ACT

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

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

6 Section 1. Section 6108(a) of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:
8 § 6108. Relief.

9 (a) General rule.--Subject to subsection (a.1), the court
10 may grant any protection order or approve any consent agreement
11 to bring about a cessation of abuse of the plaintiff or minor
12 children. The order or agreement may include:

13 * * *

14 (2.1) Granting the transfer of an existing wireless
15 telephone number, including the wireless telephone numbers of
16 minor children in the care of the plaintiff, to the plaintiff
17 when the billing responsibility for and rights to the

1 wireless telephone number belong to the defendant as the
2 account holder, subject to the following:

3 (i) The order shall be a separate order that is
4 directed to the wireless telephone service provider. The
5 order shall list the name and billing telephone number of
6 the defendant, the name and contact information of the
7 plaintiff to whom the wireless telephone number will be
8 transferred and the wireless telephone number to be
9 transferred to the plaintiff. The court shall ensure that
10 the contact information of the plaintiff is not provided
11 to the defendant in proceedings held under section 6112
12 (relating to disclosure of addresses).

13 (ii) The order shall be served on the wireless
14 service provider. The wireless service provider shall
15 establish protocols to respond to orders issued under
16 this subparagraph.

17 (iii) If applicable, the wireless service provider
18 shall notify the court and plaintiff within three
19 business days of receipt of the order that the wireless
20 service provider cannot operationally or technically
21 effectuate the order due to certain circumstances,
22 including, but not limited to, the following:

23 (A) The defendant has already terminated the
24 account.

25 (B) Differences in wireless network technology
26 prevent the functionality of a device on the network.

27 (C) There are geographic or other limitations on
28 the wireless network or service availability.

29 (iv) Upon transfer of billing responsibility for and
30 rights to the wireless telephone number to a plaintiff

1 under this paragraph, the plaintiff shall assume all
2 financial responsibility for the transferred wireless
3 telephone number, monthly service costs and costs for the
4 mobile device attached to the wireless telephone number.

5 (v) Wireless service providers shall apply routine
6 and customary requirements for account establishment for
7 the plaintiff as part of the transfer of billing
8 responsibility for wireless telephone numbers and any
9 mobile devices attached to the wireless telephone numbers
10 under this paragraph, including, but not limited to,
11 identification, financial information and customer
12 preferences.

13 (vi) Nothing in this paragraph may be construed to
14 affect the ability of the court to apportion the assets
15 and debts of the plaintiff and defendant as provided by
16 the laws of this Commonwealth or the ability to determine
17 the temporary use, possession and control of personal
18 property under this chapter.

19 (vii) No cause of action shall be brought against a
20 wireless telephone service provider or the wireless
21 telephone service provider's officers, employees or
22 agents for actions taken in accordance with the terms of
23 an order issued under this paragraph.

24 (viii) The Supreme Court may develop any forms or
25 rules necessary to effectuate this paragraph.

26 * * *

27 Section 2. This act shall take effect July 1, 2019, or
28 immediately, whichever is later.