

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1179 Session of
2022

INTRODUCED BY BAKER, AUMENT, PHILLIPS-HILL, MARTIN, COLLETT,
KANE, KEARNEY, CORMAN, COSTA, SANTARSIERO, GORDNER, BREWSTER,
MENSCH, SCHWANK AND J. WARD, APRIL 1, 2022

AS AMENDED ON THIRD CONSIDERATION, APRIL 11, 2022

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in domestic and sexual violence victim
3 address confidentiality, further providing for definitions,
4 for persons eligible to apply and for application and
5 certification process.

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

8 ~~Section 1. Section 6702 of Title 23 of the Pennsylvania~~ <--
9 ~~Consolidated Statutes is amended by adding definitions to read:~~

10 SECTION 1. THE DEFINITION OF "VICTIM OF SEXUAL ASSAULT" IN <--
11 SECTION 6702 OF TITLE 23 OF THE PENNSYLVANIA CONSOLIDATED
12 STATUTES IS AMENDED AND THE SECTION IS AMENDED BY ADDING
13 DEFINITIONS TO READ:

14 § 6702. Definitions.

15 The following words and phrases when used in this chapter
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 * * *

19 ~~"Victim of child abduction." A victim of an offense that is:~~ <--

~~(1) enumerated in 18 Pa.C.S. § 2904 (relating to interference with custody of children); and~~
~~(2) graded as a felony.~~

* * *

"Victim of human trafficking." A victim of an offense enumerated in either 18 Pa.C.S. § 3011 (relating to trafficking in individuals) or 3012 (relating to involuntary servitude).

"VICTIM OF KIDNAPPING." A VICTIM OF AN OFFENSE THAT IS
ENUMERATED IN 18 PA.C.S. § 2901 (RELATING TO KIDNAPPING).

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"VICTIM OF SEXUAL ASSAULT." A VICTIM OF AN OFFENSE
ENUMERATED IN 18 PA.C.S. §§ 3121 (RELATING TO RAPE), 3133
(RELATING TO SEXUAL EXTORTION), 4302 (RELATING TO INCEST), 6312
(RELATING TO SEXUAL ABUSE OF CHILDREN), 6318 (RELATING TO
UNLAWFUL CONTACT WITH MINOR) AND 6320 (RELATING TO SEXUAL
EXPLOITATION OF CHILDREN).

* * *

Section 2. Section 6704 of Title 23 is amended by adding paragraphs to read:

§ 6704. Persons eligible to apply.

The following persons shall be eligible to apply to become program participants:

* * *

~~(6) A victim of child abduction who files an affidavit~~
~~with the Office of Victim Advocate describing the~~
~~perpetrator's course of conduct or repeated actions toward~~
~~the affiant meeting the criteria enumerated in 18 Pa.C.S. §~~
~~2904 (relating to interference with custody of children) that~~
~~is graded as a felony and further stating that the affiant~~
~~fears future violent acts by the perpetrator of the child~~
~~abduction.~~

<--

1 (6) A VICTIM OF KIDNAPPING WHO FILES AN AFFIDAVIT WITH <--
2 THE OFFICE OF VICTIM ADVOCATE DESCRIBING THE PERPETRATOR'S
3 CONDUCT TOWARD THE AFFIANT MEETING THE CRITERIA ENUMERATED IN
4 18 PA.C.S. § 2901 (RELATING TO KIDNAPPING) AND FURTHER
5 STATING THAT THE AFFIANT FEARS FUTURE VIOLENT ACTS BY THE
6 PERPETRATOR OF THE KIDNAPPING.

7 (7) A victim of human trafficking who files an affidavit
8 with the Office of Victim Advocate describing the
9 perpetrator's course of conduct or repeated actions toward
10 the affiant meeting the criteria enumerated in either 18
11 Pa.C.S. § 3011 (relating to trafficking in individuals) or
12 3012 (relating to involuntary servitude) and further stating
13 that the affiant fears future violent acts by the perpetrator
14 of the human trafficking.

15 Section 3. Section 6705(a) of Title 23 is amended to read:
16 § 6705. Application and certification process.

17 (a) General rule.--A person must file an application with
18 the Office of Victim Advocate on a form prescribed by the Office
19 of Victim Advocate. An application and any supporting
20 documentation may be filed electronically, by mail or in person.
21 The Office of Victim Advocate shall certify eligible applicants
22 as program participants in accordance with the procedures
23 outlined in subsection (b). Certification shall be valid for a
24 period of three years following the date of certification unless
25 the certification is withdrawn or canceled before the expiration
26 of that period.

27 * * *

28 Section 4. The Office of Victim Advocate may promulgate
29 regulations to effectuate the following:

30 (1) The addition of the definitions of ~~"victim of child~~ <--

1 ~~abduction KIDNAPPING~~" and "victim of human trafficking" AND <--

2 "VICTIM OF KIDNAPPING" in 23 Pa.C.S. § 6702.

3 (2) The amendment or addition of 23 Pa.C.S. §§ 6704(6)
4 and (7) and 6705(a).

5 Section 5. This act shall take effect in 60 days.