

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 544 Session of
2023

INTRODUCED BY BOROWSKI, PROBST, HILL-EVANS, SANCHEZ, BURGOS,
KENYATTA, HOWARD, CEPEDA-FREYTIZ, CIRESI, FIEDLER, CERRATO,
DELLOSO, SHUSTERMAN, KINKEAD, N. NELSON, OTTEN AND CONKLIN,
MARCH 20, 2023

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 20, 2023

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) if:

13 (1) All of the following apply:

14 (i) The person has been granted relief under section
15 6107(b) (relating to hearings) or 6108 (relating to
16 relief).

17 (ii) The relief under subparagraph (i) was granted

1 no more than 90 days prior to the person applying for a
2 waiver under this section.

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

7 (2) The person was the subject of abuse within the
8 previous 120 days and the abuse is verified through one of
9 the following methods:

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

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

22 (ii) The person has not filed a petition for relief
23 under this chapter regarding the abuse under paragraph
24 (1).

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

28 (b) Waiver of fee by Department of Transportation.--Upon
29 application of a person who qualifies under subsection (a), the
30 Department of Transportation shall waive the fee for a duplicate

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

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

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

21 (e) Forms.--The Office of Victim Advocate shall develop
22 standardized forms for documenting abuse and providing a method
23 for third party attestation of abuse under this section.

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