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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 528 Session of  
2023

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INTRODUCED BY MUTH, CAPPELLETTI, KEARNEY, L. WILLIAMS, HAYWOOD,  
SAVAL, STREET AND FONTANA, MARCH 15, 2023

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REFERRED TO JUDICIARY, MARCH 15, 2023

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AN ACT

1 Amending Title 54 (Names) of the Pennsylvania Consolidated  
2 Statutes, in judicial change of name, further providing for  
3 court approval required for change of name.

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

6 Section 1. Section 701(a.1) of Title 54 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 701. Court approval required for change of name.

9 \* \* \*

10 (a.1) Procedure.--

11 (1) An individual must file a petition in the court of  
12 common pleas of the county in which the individual resides.  
13 If a petitioner is married, the petitioner's spouse may join  
14 as a party petitioner, in which event, upon compliance with  
15 the provisions of this subsection, the spouse shall also be  
16 entitled to the benefits of this subsection.

17 (2) The petition must set forth all of the following:

18 (i) The intention to change the petitioner's name.

- 1           (ii) The reason for the name change.
- 2           (iii) The current residence of petitioner.
- 3           (iv) Any residence of the petitioner for the five
- 4 years prior to the date of the petition.
- 5           (v) If the petitioner requests the court proceed
- 6 under paragraph (3) (iii) or (iv).

7           (3) Upon filing of the petition, the court shall do all

8 of the following:

9           (i) Set a date for a hearing on the petition. The

10 hearing shall be held not less than one month nor more

11 than three months after the petition is filed.

12           (ii) Except as provided in subparagraph (iii) or

13 (iv), by order, direct that notice be given of the filing

14 of the petition and of the date set for the hearing on

15 the petition and that the notice be treated as follows:

16           (A) Published in two newspapers of general

17 circulation in the county where the petitioner

18 resides or a county contiguous to that county. One of

19 the publications may be in the official paper for the

20 publication of legal notices in the county.

21           (B) Given to any nonpetitioning parent of a

22 child whose name may be affected by the proceedings.

23           (iii) If the court finds that the notice required in

24 subparagraph (ii) would jeopardize the safety of the

25 [person] individual seeking the name change or [his or

26 her] the individual's child or ward, the notice required

27 shall be waived by order of the court. Upon granting the

28 request to waive any notice requirement, the court shall

29 seal the file. In all cases filed under this [paragraph]

30 subparagraph, whether or not the name change petition is

1 granted, there shall be no public access to any court  
2 record of the name change petition, proceeding or order,  
3 unless the name change is granted but the file is not  
4 sealed. The records shall only be opened by order of the  
5 court in which the petition was granted based upon a  
6 showing of good cause or at the [applicant's]  
7 petitioner's request.

8 (iv) If the petition requests a name change to  
9 conform to the petitioner's gender identity, the notice  
10 required in subparagraph (ii) shall be waived by order of  
11 the court and the court shall seal the file. In all cases  
12 filed under this subparagraph, whether or not the name  
13 change petition is granted, there shall be no public  
14 access to any court record of the name change petition,  
15 proceeding or order. The records shall only be opened by  
16 order of the court in which the petition was granted  
17 based upon a showing of good cause or at the petitioner's  
18 request.

19 (4) At the hearing, the following apply:

20 (i) Any person having lawful objection to the change  
21 of name may appear and be heard.

22 (ii) The petitioner must present to the court all of  
23 the following:

24 (A) Proof of publication of the notice under  
25 paragraph (3)(ii) unless petitioner requested the  
26 court proceed under paragraph (3)(iii) or (iv) and  
27 the court granted the request.

28 (B) An official search of the proper offices of  
29 the county where petitioner resides and of any other  
30 county where petitioner has resided within five years

1 prior to filing the petition showing that there are  
2 no judgments, decrees of record or other similar  
3 matters against the petitioner. This clause may be  
4 satisfied by a certificate given by a corporation  
5 authorized by law to make the search under this  
6 clause.

7 (5) The court may enter a decree changing the name as  
8 petitioned if the court is satisfied after the hearing that  
9 there is no lawful objection to the granting of the petition.

10 \* \* \*

11 Section 2. This act shall apply to petitions filed after the  
12 effective date of this section.

13 Section 3. This act shall take effect in 60 days.