

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1306 Session of 2024

INTRODUCED BY BAKER, ROTHMAN, BROWN, PENNYCUICK, VOGEL, MASTRIANO, J. WARD, CULVER, DUSH AND MILLER, SEPTEMBER 5, 2024

SENATOR BAKER, JUDICIARY, AS AMENDED, SEPTEMBER 17, 2024

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.

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

6 Section 1. Section 6106(d), (e) and (f) of Title 23 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 6106. Commencement of proceedings.

9 \* \* \*

10 (d) Surcharge on order.--When a protection order is granted
11 under section 6107(a), other than pursuant to an agreement of
12 the parties, a surcharge of \$100 shall be assessed against the
13 defendant. All moneys received from surcharges shall be
14 distributed in the following order of priority:

15 (1) \$25 shall be forwarded to the Commonwealth and shall
16 be appropriated to the Pennsylvania State Police to establish
17 and maintain the Statewide registry of protection orders
18 provided for in section 6105 (RELATING TO RESPONSIBILITIES OF <--

1 LAW ENFORCEMENT AGENCIES).

2 (1.1) \$25 shall be distributed as follows:

3 (i) If a police department, the Pennsylvania State <--  
4 Police or other designated agency or individual serves  
5 the order AN APPROPRIATE LAW ENFORCEMENT AGENCY SERVES <--  
6 THE DEFENDANT WITH THE ORDER, \$25 shall be forwarded to  
7 the police department, Pennsylvania State Police or other <--  
8 designated agency or individual APPROPRIATE LAW <--  
9 ENFORCEMENT AGENCY who serves the defendant WITH THE <--  
10 order.

11 (ii) If the sheriff serves the DEFENDANT WITH THE <--  
12 order, \$25 shall be retained by the county and shall be  
13 used by the sheriff to carry out the provisions of this  
14 chapter.

15 (2) [\$50] \$25 shall be retained by the county and shall  
16 be used by the court to carry out the provisions of this  
17 chapter [as follows:

18 (i) \$25 shall be used by the sheriff.

19 (ii) \$25 shall be used by the court].

20 (3) \$25 shall be forwarded to the Department of [Public <--  
21 Welfare] HUMAN SERVICES for use for victims of domestic <--  
22 violence in accordance with the provisions of section 2333 of  
23 the act of April 9, 1929 (P.L.177, No.175), known as The  
24 Administrative Code of 1929.

25 \* \* \*

26 [(e) Court to adopt means of service.--The court shall adopt  
27 a means of prompt and effective service in those instances where  
28 the plaintiff avers that service cannot be safely effected by an  
29 adult individual other than a law enforcement officer or where  
30 the court so orders.]

1 (f) Service [by sheriff].--[If the court so orders, the  
2 sheriff or other designated agency or individual shall serve the  
3 petition and order.] The court shall adopt a means of prompt and  
4 effective service and order that the sheriff or appropriate law  
5 enforcement agency serve the petition and order.

6 \* \* \*

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