

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1307 Session of
2025

INTRODUCED BY FLEMING, KRAJEWSKI, GIRAL, KHAN, HILL-EVANS,
McNEILL, CERRATO, SANCHEZ, WAXMAN, D. WILLIAMS, CARROLL,
GREEN, CURRY AND K.HARRIS, APRIL 28, 2025

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, APRIL 28, 2025

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in general provisions relating to
3 children and minors, providing for contracting and consent by
4 certain minors.

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

7 Section 1. Title 23 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 5106. Contracting and consent by certain minors.

10 (a) Requirements to enter contract.--A minor may contract
11 for housing, employment, purchase of an automobile, receipt of a
12 student loan, admission to high school or postsecondary school,
13 obtaining medical care, opening a bank account, admission to a
14 shelter for victims of domestic violence or a homeless shelter
15 and receipt of services as a victim of domestic violence or
16 sexual abuse, including, but not limited to, counseling, court
17 advocacy, financial assistance and other advocacy services, if:

18 (1) The minor is at least 16 years of age.

1 (2) The minor is a homeless minor.

2 (3) The minor is self-supporting and is without the
3 physical or financial support of a parent or legal guardian.

4 (4) The minor's parent or legal guardian has consented
5 to the minor living independent of the parent's or legal
6 guardian's control. Consent may be expressed or implied as
7 follows:

8 (i) Expressed consent shall be a verbal or written
9 statement made by the parent or legal guardian of the
10 minor displaying approval or agreement that the minor may
11 live independently of the parent's or legal guardian's
12 control.

13 (ii) Implied consent shall be an action made by the
14 parent or legal guardian of the minor that indicates that
15 the parent or legal guardian is unwilling or unable to
16 adequately care for the minor. The actions may include,
17 but are not limited to:

18 (A) barring the minor from the home or otherwise
19 indicating that the minor is not welcome to stay;

20 (B) refusing to provide any or all financial
21 support for the minor; or

22 (C) abusing or neglecting the minor or
23 committing an act of domestic violence against the
24 minor.

25 (b) Contract for automobile insurance.--A homeless minor or
26 a minor who is 16 years of age or older and who is in the legal
27 custody of a county agency under an order of a court of
28 competent jurisdiction may contract for the purchase of
29 automobile insurance with the consent of the county agency or
30 the juvenile court. The minor shall be responsible for paying

1 the costs of the insurance premiums and shall be liable for
2 damages caused by the minor's negligent operation of a motor
3 vehicle. No county agency, foster parent or entity providing
4 case management of children on behalf of a county agency shall
5 be responsible for paying insurance premiums nor liable for any
6 damages of any kind as a result of the operation of a motor
7 vehicle by the minor.

8 (c) Contract for checking or savings account.--A homeless
9 minor or a minor who is 16 years of age or older and who is in
10 the legal custody of a county agency under an order of a court
11 of competent jurisdiction may contract for the opening of a
12 checking or savings bank account with the consent of the county
13 agency or the juvenile court. The minor shall be responsible for
14 paying all banking-related costs associated with the checking or
15 savings bank account and shall be liable for any and all
16 penalties should the minor violate a banking agreement. No
17 county agency, foster parent or entity providing case management
18 of children on behalf of a county agency shall be responsible
19 for paying bank fees nor liable for any penalties related to
20 violation of a banking agreement.

21 (d) Consent for no-cost emergency shelter, housing and
22 related services.--A homeless minor may consent to no-cost
23 emergency shelter, housing and related services if the homeless
24 minor understands the benefits, responsibilities, risks and
25 limits of the shelter, housing and services and the homeless
26 minor agrees to adhere to the provider's rules and cooperate and
27 participate in the services recommended by the provider if:

28 (1) the provider has not, despite reasonable efforts,
29 been able to contact the homeless minor's parent, legal
30 guardian or legal custodian;

1 (2) the provider has made contact with the homeless
2 minor's parent, legal guardian or legal custodian and the
3 homeless minor's parent, legal guardian or legal custodian
4 has refused to give consent and, based on the information
5 available to the provider, the provider reasonably believes
6 that the homeless minor would incur harm or would be subject
7 to threatened harm if the homeless minor returned immediately
8 to the home of the parent, legal guardian or legal custodian;
9 or

10 (3) the homeless minor has refused to provide contact
11 information for the homeless minor's parent, legal guardian
12 or legal custodian, and the provider reasonably believes that
13 the homeless minor would incur harm or would be subject to
14 threatened harm if the homeless minor returned immediately to
15 the home of the parent, legal guardian or legal custodian.

16 (e) Duration of consent for no-cost emergency shelter,
17 housing and related services.--Any consent given under
18 subsection (d) by a homeless minor shall, for the duration of
19 the period of shelter or housing and with respect to all
20 services, including medical services, be valid and binding as if
21 the homeless minor had reached the age of majority. The
22 following shall apply:

23 (1) The consent given under subsection (d) shall not be
24 subject to later disaffirmance by reason of the homeless
25 minor's minority.

26 (2) A provider who renders emergency shelter, housing
27 and related services to a homeless minor under and can
28 demonstrate compliance with subsection (d) shall be immune
29 from civil or criminal liability based on the provider's
30 determination to provide the emergency shelter, housing and

1 related services, provided that, if a provider's assessment
2 and determination or conduct in providing emergency shelter,
3 housing and related services is the result of the provider's
4 gross negligence or willful or wanton acts or omissions, the
5 provider may be held liable for the provider's gross
6 negligence or willful or wanton acts or omissions.

7 (3) A provider who renders emergency shelter, housing
8 and related services to a homeless minor shall document in
9 writing the efforts made to contact the homeless minor's
10 parent, legal guardian or legal custodian.

11 (4) The provider shall report suspected child abuse or
12 neglect to the county agency or the local police department
13 in accordance with this title.

14 (f) Definitions.--As used in this section, the following
15 words and phrases shall have the meanings given to them in this
16 subsection unless the context clearly indicates otherwise:

17 "County agency." As defined in section 6303 (relating to
18 definitions).

19 "Homeless minor." An individual who is under 18 years of
20 age, who lives apart from the individual's parent, legal
21 guardian or legal custodian and who lacks a fixed and regular
22 nighttime residence. The term includes the following:

23 (1) A child or youth who is:

24 (i) sharing the housing of other individuals due to
25 loss of housing, economic hardship or other similar
26 reasons;

27 (ii) living in a motel, hotel, trailer park or
28 camping ground due to the lack of alternative adequate
29 accommodations;

30 (iii) living in an emergency or transitional

1 shelter; or

2 (iv) abandoned in a hospital.

3 (2) A child or youth who has a primary nighttime
4 residence that is a public or private place not designed for
5 or ordinarily used as a regular sleeping accommodation for
6 human beings.

7 (3) A child or youth who is living in a car, park,
8 public space, abandoned building, substandard housing, bus or
9 train station or similar setting.

10 (4) Migratory child, as defined under 20 U.S.C. § 6399
11 (relating to definitions), living in circumstances under
12 paragraph (1), (2) or (3).

13 "Minor." An individual under 18 years of age.

14 "Provider." An organization established to provide emergency
15 shelter to minors and to provide related services, health care
16 or supplies.

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