



SENATE OF PENNSYLVANIA BILL SUMMARY

House Bill 12 Printer's No. 2472

Prime Sponsor: Representative Schlossberg
Committee: Judiciary

SYNOPSIS:

This bill amends Title 23 (Domestic Relations) to provide grounds for divorce upon mutual consent when one spouse is convicted of a personal-injury offense against the other spouse. The bill also precludes a court from requiring marital counseling when one spouse has been named as a Protection from Abuse defendant by the other spouse or has committed a personal-injury offense against the other spouse.

SUMMARY:

Divorce upon Mutual Consent

Existing law provides that mutual consent is grounds for divorce, and the waiting period for a consented divorce is considerably shorter than for a non-consented divorce. This bill prevents a spouse who causes bodily injury to the other spouse from re-victimizing the injured spouse by refusing consent to divorce and drawing out the proceedings for a longer period of time. If one spouse is convicted of a personal-injury offense against the other, grounds for divorce upon mutual consent will exist. The bill specifies the offenses that, upon conviction, would provide grounds for a consented divorce: criminal homicide, assault, kidnapping, human trafficking, sexual offenses, arson and related offenses, robbery, victim or witness intimidation, homicide by vehicle, and accidents involving death or bodily injury.

Court-Ordered Marital Counseling

This bill precludes a court from requiring counseling over the objection of a spouse that has a Protection from Abuse order against the other spouse. Marital counseling may not be ordered where the other spouse has been convicted of a personal-injury offense against the objecting spouse or entered Accelerated Rehabilitative Disposition for such an offense.

EFFECTIVE DATE:

This bill is effective in sixty days.

BILL HISTORY:

After the bill as amended in the House Judiciary Committee and on the House floor, the House of Representatives passed this bill unanimously on November 9, 2015.

Prepared by: Cawley 3/18/2016