



SENATE OF PENNSYLVANIA BILL SUMMARY

House Bill 380 Printer's No. 2474

Prime Sponsor: Representative Toohil
Committee: Judiciary

SYNOPSIS:

This bill amends Title 23 (Domestic Relations) to reduce the waiting period for a no-fault divorce.

SUMMARY:

Section 3301 of Title 23 contains the grounds for divorce: fault, institutionalization, mutual consent, and irretrievable breakdown. A divorce based on irretrievable breakdown may only be granted under current law when the spouses have been living separately for two years. This bill would reduce that period of separation to one year.

In accordance with Section 3323 of Title 23, a court may enter a decree of divorce or annulment. The decree shall determine and dispose of existing property rights and interests between the parties, custody, partial custody and visitation rights, child support, alimony, reasonable attorney fees, costs and expenses and any other related matters, including the enforcement of agreements voluntarily entered into between the parties. If both parties consent, the court may issue a decree of divorce or annulment before these matters of custody, visitation rights, child support, alimony, fees, costs, and expenses have been determined. This bill, however, provides that the court may enter a decree before resolving those issues only if the court determines that doing so provides sufficient economic protections for any minor children of the marriage.

EFFECTIVE DATE:

This bill is effective in 60 days.

BILL HISTORY:

Passed the House of Representatives on November 9, 2015 by a vote of 191-6.

Prepared by: Cawley 4/1/2016