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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1105 Session of  
2024

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INTRODUCED BY LAUGHLIN, SANTARSIERO, TARTAGLIONE, COSTA,  
PHILLIPS-HILL AND KANE, MARCH 22, 2024

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REFERRED TO JUDICIARY, MARCH 22, 2024

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in protection from abuse, further  
3 providing for relief, for emergency relief by minor judiciary  
4 and for arrest for violation of order.

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

7 Section 1. Section 6108(a.1)(2) and (e)(1)(i) of Title 23 of  
8 the Pennsylvania Consolidated Statutes are amended, subsection  
9 (a) is amended by adding a paragraph and the section is amended  
10 by adding a subsection to read:

11 § 6108. Relief.

12 (a) General rule.--Subject to subsection (a.1), the court  
13 may grant any protection order or approve any consent agreement  
14 to bring about a cessation of abuse of the plaintiff or minor  
15 children. The order or agreement may include:

16 \* \* \*

17 (9.1) Granting temporary ownership rights over a  
18 companion animal and directing the defendant to refrain from  
19 possessing, contacting, attempting to contact, transferring

1 or relocating the companion animal or contacting or entering  
2 the property of any person sheltering the companion animal.

3 \* \* \*

4 (a.1) Final order or agreement.--The following apply:

5 \* \* \*

6 (2) A final agreement may direct the defendant to  
7 refrain from abusing, harassing, stalking, threatening or  
8 attempting or threatening to use physical force against the  
9 plaintiff [or], minor children or companion animal and may  
10 order that the defendant is subject to the firearms, other  
11 weapons or ammunition and firearms license prohibition and  
12 relinquishment provisions under subsection (a) (7).

13 \* \* \*

14 (e) Extension of protection orders.--

15 (1) An extension of a protection order may be granted:

16 (i) Where the court finds, after a duly filed  
17 petition, notice to the defendant and a hearing, in  
18 accordance with the procedures set forth in sections 6106  
19 and 6107, that the defendant committed one or more acts  
20 of abuse subsequent to the entry of the final order or  
21 that the defendant engaged in a pattern or practice that  
22 indicates continued risk of harm to the plaintiff [or],  
23 minor child or companion animal.

24 \* \* \*

25 (j) Definitions.--As used in this section, the following  
26 words and phrases shall have the meanings given to them in this  
27 subsection unless the context clearly indicates otherwise:

28 "Companion animal." An animal not used in commercial  
29 agriculture or production which is owned, kept, leased,  
30 possessed or held by the petitioner or respondent or a minor

1 child of either.

2 Section 2. Sections 6110(a) and 6113(a) of Title 23 are  
3 amended to read:

4 § 6110. Emergency relief by minor judiciary.

5 (a) General rule.--When:

6 (1) in counties with less than four judges, the court is  
7 unavailable:

8 (i) from the close of business at the end of each  
9 day to the resumption of business the next morning;

10 (ii) from the end of the business week to the  
11 beginning of the business week; and

12 (iii) during the business day by reason of duties  
13 outside the county, illness or vacation;

14 (2) in counties with at least four judges, the court is  
15 unavailable:

16 (i) from the close of business at the end of each  
17 day to the resumption of business the next morning; and

18 (ii) from the end of the business week to the  
19 beginning of the business week;

20 a petition may be filed before a hearing officer who may grant  
21 relief in accordance with section 6108(a)(1), (2) and (6) [or],  
22 (1) and (6) or (1) and (9.1) (relating to relief) if the hearing  
23 officer deems it necessary to protect the plaintiff or minor  
24 children from abuse upon good cause shown in an ex parte  
25 proceeding. Immediate and present danger of abuse to the  
26 plaintiff or minor children shall constitute good cause for the  
27 purposes of this subsection.

28 \* \* \*

29 § 6113. Arrest for violation of order.

30 (a) General rule.--An arrest for violation of an order

1 issued pursuant to this chapter or a foreign protection order  
2 may be without warrant upon probable cause whether or not the  
3 violation is committed in the presence of the police officer or  
4 sheriff in circumstances where the defendant has violated a  
5 provision of an order consistent with section 6108(a)(1), (2),  
6 (3), (4), (6), (7) ~~[or]~~, (9) or (9.1) (relating to relief). The  
7 police officer or sheriff may verify the existence of a  
8 protection order by telephone, radio or other electronic  
9 communication with the appropriate police department,  
10 Pennsylvania State Police registry, protection order file or  
11 issuing authority. A police officer or sheriff shall arrest a  
12 defendant for violating an order issued under this chapter by a  
13 court within the judicial district, issued by a court in another  
14 judicial district within this Commonwealth or a foreign  
15 protection order issued by a comparable court.

16 \* \* \*

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