
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1540 Session of
2017

INTRODUCED BY PASHINSKI, THOMAS, DRISCOLL, KINSEY, SAINATO,
CALTAGIRONE, MILLARD AND DeLUCA, JUNE 13, 2017

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 13, 2017

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in protection from abuse, further
3 providing for contempt for violation of order or agreement.

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

6 Section 1. Section 6114(b) of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:
8 § 6114. Contempt for violation of order or agreement.

9 * * *

10 (b) Trial and punishment.--

11 * * *

12 (1.1) The following shall apply:

13 (i) When the basis for a charge of indirect criminal
14 contempt does not include a threat to commit violence or
15 the commission of violence, a court may order the
16 defendant to undergo a drug and alcohol evaluation or a
17 mental health evaluation, or both, and direct the
18 defendant to comply with any recommendations resulting

1 from the evaluation.

2 (ii) When the basis for a charge of indirect
3 criminal contempt includes a threat to commit violence or
4 the commission of violence, a court shall order the
5 defendant to undergo a drug and alcohol evaluation and a
6 mental health evaluation and direct the defendant to
7 comply with any recommendations resulting from the
8 evaluation.

9 (iii) When the court orders an evaluation under this
10 paragraph, the court shall establish a date by which the
11 evaluation shall be completed and, contemporaneous with
12 the order, shall establish a date by which the defendant
13 shall appear in court if the evaluation is not completed
14 by the established date.

15 (iv) Failure by the defendant to obtain an
16 evaluation under this subsection or to comply with a
17 recommendation resulting from the evaluation may
18 constitute a separate basis for contempt of court.

19 * * *

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