

# SENATE APPROPRIATIONS COMMITTEE

## FISCAL NOTE

**BILL NO.** Senate Bill 1449

**PRINTER'S NO.** 2387

### **AMOUNT**

No Fiscal Impact

### **FUND**

General Fund

### **DATE INTRODUCED**

March 20, 2012

### **PRIME SPONSOR**

Senator Corman

### **HISTORY OF BILL**

Referred to JUDICIARY, March 20, 2012

Reported as committed, May 8, 2012

First consideration, May 8, 2012

Re-referred to APPROPRIATIONS, May 23, 2012

Re-reported as amended, Sept. 24, 2012

### **DESCRIPTION AND PURPOSE OF BILL**

Senate Bill 1449 amends Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to provide for prevention of abduction of children.

Specifically, this legislation enacts the Uniform Child Abduction Prevention Act as Chapter 52 of Title 23. The purpose of the Uniform Child Abduction Prevention Act is to provide the courts with guidelines to follow during custody disputes and divorce proceedings, to help the courts identify families at risk for abduction, and to provide methods to prevent the abduction of children in such cases.

Act 112-2010 amended Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) relating to child custody provisions within the Commonwealth in general, but did not address child custody issues related to a spouse abducting a child and moving them to a foreign country or another state. This legislation addresses these issues as well as the others mentioned above. Additionally, this legislation does the following:

- Allows for a court to order abduction prevention measures and issue a warrant to take physical custody of a child;
- Sets forth the contents of a petition for abduction prevention measures;
- Sets forth factors a court shall consider in determining whether there is a risk of abduction;
- Sets forth certain relevant information a court order must include, including requiring a party to post a bond so that if an abduction occurs the proceeds may be expended to locate the child; and
- Allows the court to issue a warrant to search relevant databases of the National Crime Information Center (NCIC) and similar state databases to determine if either the petitioner or respondent has a history of domestic violence, stalking, child abuse or neglect.

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This act shall take effect in 90 days.

### **FISCAL IMPACT:**

According to the Administrative Office of Pennsylvania Courts (AOPC), all dependency actions are recorded in the Common Pleas Case Management System (CPCMS). AOPC has advised that minor changes to the CPCMS will be required and that such changes would have no fiscal impact on Commonwealth funds.