

2021-2022 LEGISLATIVE SESSION SUMMARY

STATE SUMMARY



FUNDING FOR DOMESTIC VIOLENCE PROGRAMS & SUPPORT SERVICES

Both fiscal year (FY) budgets in this legislative session (FY 20-21 and FY 21-22) included a \$1M increase in Act 44 funding, the primary source of state-level domestic violence funding, totaling ~\$20M for each FY.

DOMESTIC VIOLENCE AND TEEN DATING VIOLENCE PREVENTION

SIGNED INTO LAW

It's On Us (Public School Code Article XX-G as amended)

NEUTRAL

This law places no obligations on domestic violence services providers but does require all institutions of higher education and private licensed schools to establish and maintain a memorandum of understanding with at least one local rape crisis center and one local domestic violence program by December 31, 2022.

ENSURING TRAUMA-INFORMED SERVICES FOR SURVIVORS & THEIR CHILDREN

SIGNED INTO LAW

Consideration of Human Trafficking Conviction in Custody Cases (Act 38 of 2021)

NEUTRAL

This law added human trafficking crimes to the list of criminal convictions judges must consider in custody determinations.

FAILED TO BECOME LAW

HB 1366

PCADV OPPOSED

Would have codified the uniform family law arbitration act into Pennsylvania statute without appropriately considering safety for domestic violence victims and their children.

SB 78 (aka Kayden's Law)

PCADV OPPOSED

After passing in the Senate on June 24, 2021, SB 78 moved to the House and its Judiciary Subcommittee on Family Law conducted a public hearing on November 15, 2021. PCADV appeared at the hearing and provided [live testimony](#) in opposition. Read more: [Talking points and outline of concerns](#)

SB 871

PCADV OPPOSED

Would have revised the Child Protective Services Law by (1) removing records expungement timeframes and (2) allowing county agencies to seek a court order to compel drug and alcohol testing.



ECONOMIC JUSTICE & FINANCIAL SELF-SUFFICIENCY

SIGNED INTO LAW

Courts' New Options for Collecting Fines, Costs, and Restitution (Act 163 of 2022)

PCADV SUPPORTED

Under this new law (effective March 4, 2023), all courts, including magisterial district courts, can waive all court fines and costs when an indigent criminal defendant defaults on payment (except for a pair of costs imposed under the Crime Victims Act). Also, if a defendant fails to appear at a financial determination hearing, procedural safeguards are in place before the debt is automatically sent to collections. Finally, counties must now accept credit and debit card payments.

FAILED TO BECOME LAW

HB 398

PCADV OPPOSED

Would have created new barriers to CHIP eligibility by requiring the non-custodial parent of children for whom CHIP is sought to first enroll their children in their own health insurance plan before CHIP eligibility is met.

HB 2027

PCADV SUPPORTED

Would have provided safe leave (unpaid).

ENHANCING SERVICES FOR VICTIMS/SURVIVORS OF MARGINALIZED GROUPS

SIGNED INTO LAW

SB 956/SB 106

PCADV OPPOSED

The passage of this bill is the first of three steps to amend Pennsylvania's constitution to assert there is no constitutional right to an abortion in the Commonwealth, paving the pathway to completely banning abortion without exception, including instances of rape and high-risk pregnancies. Constitutional amendments require approval in two consecutive legislative sessions (steps one and two) and then approval by the voters through a referendum (third and final step); they cannot be vetoed by the governor.

FAILED TO BECOME LAW

HB 972

PCADV OPPOSED

Anti-trans athlete bill

HB 904/SB 378

PCADV OPPOSED

Would have banned abortion after six weeks.

HB 118

PCADV OPPOSED

Would have required burial or cremation after fetal death.

HB 1500

PCADV OPPOSED

Would have banned abortion if based on down syndrome diagnosis or sex of fetus.

HB 1419

PCADV SUPPORTED

The Dignity for Incarcerated Women Act would bring dignity back to incarcerated pregnant people and ensure they are treated properly throughout the entirety of their pregnancy, labor, and postpartum stages.

**YOUR VOICE
MATTERS.
STAND WITH
SURVIVORS.**



Become an advocate at
pcadv.org/advocate

ACCESS TO SAFE AND AFFORDABLE HOUSING

SIGNED INTO LAW

Address Confidentiality Program Expansion (Act 50 of 2022)

PCADV SUPPORTED

Expands eligibility for the Address Confidentiality Program, which offers victims of domestic violence, sexual assault, and stalking an avenue to keep their home addresses secret and confidential.

FAILED TO BECOME LAW

HB 2029

PCADV SUPPORTED

Would have provided conditions in which an eligible victim may be possibly released or required to be released from a lease.

ACCESS TO AN EQUITABLE JUSTICE SYSTEM

SIGNED INTO LAW

Domestic Violence Expert Testimony (Act 52 of 2021)

PCADV SUPPORTED

This law will allow expert testimony in domestic violence criminal cases involving simple assault, aggravated assault, stalking, and strangulation.

Legal Standing for Victims (Act 77 of 2022)

PCADV SUPPORTED

This law affords crime victims “legal standing” at the statutory level, which offers an avenue for crime victims to enforce their rights under the Victims Bill of Rights and seek legal relief when those rights are overlooked or violated.

Victims’ Testimony at Bail Hearings (Act 71 of 2022)

PCADV OPPOSED

Amends the Crime Victims’ Rights Act regarding a victim’s right to offer comment during a defendant’s bail hearing without affording appropriate considerations for victim confidentiality and safety.

FAILED TO BECOME LAW

HB 1836

PCADV OPPOSED

Would have created unnecessary, overly broad new crime category called “child torture,” that carries high risk of criminalizing survivors of domestic violence without adding any new protections for them or their children.

HB 488

PCADV OPPOSED

Would have expanded the existing crime of “endangering welfare of child” to an overly broad definition that carries high risk of criminalizing survivors of domestic violence without adding any new protections for them or their children.

SB 703

PCADV SUPPORTED

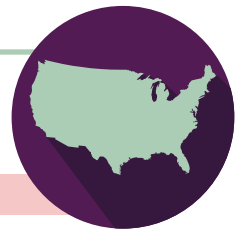
Would have amended the stalking statute to (1) include acts of stalking even if the victim is unaware of the act; (2) lower the level of intent necessary to commit the crime of stalking (to “reckless”); and (3) modernize the law by establishing that stalking also includes engaging in a course of conduct or repeatedly using social media or the internet to stalk a victim.

SB 708/HB 2028

PCADV SUPPORTED

Would have amended the Crime Victims’ Rights Act to enhance the rights of victims and obligations of law enforcement, prosecutors, and Office of the Victim Advocate to enforce and uphold victims’ rights.

FEDERAL SUMMARY



SIGNED INTO LAW

Violence Against Women Act Reauthorization of 2022

PCADV SUPPORTED

This reauthorization makes critical improvements to VAWA, including: increasing investments in legal assistance for victims; providing resources to communities of color; providing tools to ensure adjudicated abusers who are prohibited from possessing firearms relinquish those firearms and do not obtain new ones; restoring tribal jurisdiction so tribes can hold non-Native perpetrators accountable for sexual assault and other harms; creating additional pathways to justice and healing outside of and beyond the criminal legal responses; increasing resources for prevention; maintaining vital non-discrimination protections and advancing access for all survivors; and improving the implementation of existing housing protections and access to emergency and short-term housing.

VOCA Fix to Sustain the Crime Victims Fund Act of 2021

PCADV SUPPORTED

The legislation made a technical fix to the Victims of Crime Act which will allow penalties and fines from non-prosecution and deferred prosecution agreements to be deposited into the Crime Victims Fund (CVF), where they belong, instead of the general treasury. Over time, this law will restore billions in funding into the CVF, stabilizing the fund and staving off future cuts.

Bipartisan Safer Communities Act 2022

PCADV SUPPORTED

This federal legislation, combined with existing law in the Commonwealth, closes the boyfriend loophole in Pennsylvania.

Safe Connection Act of 2022

PCADV SUPPORTED

This new federal law requires mobile service providers to separate a survivor's phone line from an abuser at the survivor's request.

Speak Out Act of 2022

PCADV SUPPORTED

This prohibits judicial enforcement of a nondisclosure clause or a nondisparagement clause agreed to before a dispute arises involving sexual assault or sexual harassment nationwide.

FAILED TO BECOME LAW

Family Violence Prevention and Services Improvement Act (H.R. 2119/ S. 1275)

PCADV SUPPORTED

This bill passed in the House with bipartisan support (228-200) including support from nine Republicans like Pennsylvania's Rep. Fitzpatrick. However, as of December 9, 2022, the Senate has failed to get it across the finish line and onto President Biden's desk in this Congress. This bipartisan FVSPA Improvement bill would: increase the funding authorization level; expand support for and access to culturally specific programs; strengthen the capacity of Indian tribes to exercise their sovereign authority to respond to domestic violence more fully in their communities; meaningfully invest in domestic violence prevention; and create a new underserved populations grant program.

