
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 588 Session of
2019

INTRODUCED BY KULIK, HILL-EVANS, MIZGORSKI, MILLARD,
CALTAGIRONE, SCHLOSSBERG, A. DAVIS, MURT, KINSEY, KENYATTA,
READSHAW, NEILSON, DeLUCA, DEASY, ZABEL, FREEMAN, SOLOMON,
THOMAS, PYLE, BARRAR, KORTZ, ISAACSON AND SNYDER,
FEBRUARY 28, 2019

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 28, 2019

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in protection from abuse, providing
3 for the definition of "electronic monitoring device" and
4 further providing for relief.

5 This act shall be referred to as "Alina's Law."

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

8 Section 1. Section 6102(a) of Title 23 of the Pennsylvania
9 Consolidated Statutes is amended by adding a definition to read:

10 § 6102. Definitions.

11 (a) General rule.--The following words and phrases when used
12 in this chapter shall have the meanings given to them in this
13 section unless the context clearly indicates otherwise:

14 * * *

15 "Electronic monitoring device." A device that enables the
16 location of a person wearing the device to be monitored through
17 use of a global positioning system and related technology and is

1 designed so that the device:

2 (1) actively and continuously monitors, identifies and
3 reports location data within a 100-mile radius;

4 (2) permits the Pennsylvania State Police and any local
5 police department to receive, record and securely and
6 confidentially retain location data indefinitely;

7 (3) may be worn around a person's wrist or ankle; and

8 (4) once fitted around a person's wrist or ankle, cannot
9 be removed without using specialized equipment specifically
10 designed for that purpose and alerting the Pennsylvania State
11 Police and each local police department that the device has
12 been removed.

13 * * *

14 Section 2. Section 6108(a) of Title 23 is amended by adding
15 a paragraph to read:

16 § 6108. Relief.

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

21 * * *

22 (6.1) Requiring an electronic monitoring device be
23 placed on the defendant if the defendant is found to present
24 a substantial risk of violating the final protection from
25 abuse order or committing a crime against the victim
26 punishable by imprisonment. The following shall apply:

27 (i) The electronic monitoring device shall monitor
28 the defendant's location relative to all persons for whom
29 protection is sought. The court shall determine the
30 distance at which the defendant is to remain from all

1 persons seeking protection from abuse and specific
2 locations from which the defendant shall refrain.

3 (ii) Except as provided under subparagraph (iii),
4 the court shall order the defendant to wear the
5 electronic monitoring device for the entire period of
6 time that the final protection from abuse order is in
7 effect.

8 (iii) The court may only order the electronic
9 monitoring device be removed from the defendant before
10 the expiration of the final protection from abuse order
11 for good cause shown. If the court orders the device
12 removed, the court shall notify the plaintiff covered by
13 the final protection from abuse order that the electronic
14 monitoring device has been removed.

15 * * *

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