

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 876 Session of 2021

INTRODUCED BY DELOZIER, HILL-EVANS AND RYAN, MARCH 11, 2021

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 11, 2021

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
 2 Consolidated Statutes, in alimony and support, further  
 3 providing for alimony pendente lite, counsel fees and  
 4 expenses.

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

7 Section 1. Section 3702(a) of Title 23 of the Pennsylvania  
 8 Consolidated Statutes is amended to read:

9 § 3702. Alimony pendente lite, counsel fees and expenses.

10 (a) General rule.--[In proper cases, upon petition, the] The  
 11 court may allow a spouse reasonable alimony pendente lite[,] or  
 12 spousal support [and reasonable counsel fees and expenses.] upon  
 13 determining that the income and resources of the petitioning  
 14 spouse are insufficient to provide for that spouse's basic  
 15 needs, including the costs of prosecuting or defending the  
 16 divorce action. Reasonable counsel fees and expenses may be  
 17 allowed pendente lite, and the court shall also have authority  
 18 to award exclusive use of the family home or any other dwelling  
 19 which is available for use as a residence to either of the

1 parties pendente lite and to direct that adequate health and  
2 hospitalization insurance coverage be maintained for the  
3 dependent spouse pendente lite. A determination under this  
4 section that alimony pendente lite or spousal support is  
5 warranted shall not be based solely upon any rule of court  
6 setting forth presumptive guidelines for the calculation of  
7 support or upon the party's standard of living during the  
8 marriage.

9 \* \* \*

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