

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **1154** Session of
2022

INTRODUCED BY MUTH, CAPPELLETTI, KEARNEY, L. WILLIAMS, SAVAL,
FONTANA, KANE, STREET, COMMITTA AND BREWSTER, MARCH 29, 2022

REFERRED TO JUDICIARY, MARCH 29, 2022

AN ACT

1 Amending Title 54 (Names) of the Pennsylvania Consolidated
2 Statutes, in judicial change of name, further providing for
3 court approval required for change of name.

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

6 Section 1. Section 701(a.1) of Title 54 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 701. Court approval required for change of name.

9 * * *

10 (a.1) Procedure.--

11 (1) An individual must file a petition in the court of
12 common pleas of the county in which the individual resides.
13 If a petitioner is married, the petitioner's spouse may join
14 as a party petitioner, in which event, upon compliance with
15 the provisions of this subsection, the spouse shall also be
16 entitled to the benefits of this subsection.

17 (2) The petition must set forth all of the following:

18 (i) The intention to change the petitioner's name.

1 (ii) The reason for the name change.

2 (iii) The current residence of petitioner.

3 (iv) Any residence of the petitioner for the five
4 years prior to the date of the petition.

5 (v) If the petitioner requests the court proceed
6 under paragraph (3) (iii) or (iv).

7 (3) Upon filing of the petition, the court shall do all
8 of the following:

9 (i) Set a date for a hearing on the petition. The
10 hearing shall be held not less than one month nor more
11 than three months after the petition is filed.

12 (ii) Except as provided in subparagraph (iii) or
13 (iv), by order, direct that notice be given of the filing
14 of the petition and of the date set for the hearing on
15 the petition and that the notice be treated as follows:

16 (A) Published in two newspapers of general
17 circulation in the county where the petitioner
18 resides or a county contiguous to that county. One of
19 the publications may be in the official paper for the
20 publication of legal notices in the county.

21 (B) Given to any nonpetitioning parent of a
22 child whose name may be affected by the proceedings.

23 (iii) If the court finds that the notice required in
24 subparagraph (ii) would jeopardize the safety of the
25 [person] individual seeking the name change or [his or
26 her] the individual's child or ward, the notice required
27 shall be waived by order of the court. Upon granting the
28 request to waive any notice requirement, the court shall
29 seal the file. In all cases filed under this [paragraph]
30 subparagraph, whether or not the name change petition is

1 granted, there shall be no public access to any court
2 record of the name change petition, proceeding or order,
3 unless the name change is granted but the file is not
4 sealed. The records shall only be opened by order of the
5 court in which the petition was granted based upon a
6 showing of good cause or at the [applicant's]
7 petitioner's request.

8 (iv) If the petition requests a name change to
9 conform to the petitioner's gender identity, the notice
10 required in subparagraph (ii) shall be waived by order of
11 the court and the court shall seal the file. In all cases
12 filed under this subparagraph, whether or not the name
13 change petition is granted, there shall be no public
14 access to any court record of the name change petition,
15 proceeding or order. The records shall only be opened by
16 order of the court in which the petition was granted
17 based upon a showing of good cause or at the petitioner's
18 request.

19 (4) At the hearing, the following apply:

20 (i) Any person having lawful objection to the change
21 of name may appear and be heard.

22 (ii) The petitioner must present to the court all of
23 the following:

24 (A) Proof of publication of the notice under
25 paragraph (3)(ii) unless petitioner requested the
26 court proceed under paragraph (3)(iii) or (iv) and
27 the court granted the request.

28 (B) An official search of the proper offices of
29 the county where petitioner resides and of any other
30 county where petitioner has resided within five years

1 prior to filing the petition showing that there are
2 no judgments, decrees of record or other similar
3 matters against the petitioner. This clause may be
4 satisfied by a certificate given by a corporation
5 authorized by law to make the search under this
6 clause.

7 (5) The court may enter a decree changing the name as
8 petitioned if the court is satisfied after the hearing that
9 there is no lawful objection to the granting of the petition.

10 * * *

11 Section 2. This act shall apply to petitions filed after the
12 effective date of this section.

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