

No. 139

AN ACT

HB 1521

Amending the act of May 2, 1929 (P.L.1237, No.430), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," further providing for alimony pendente lite.

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

Section 1. Section 46, act of May 2, 1929 (P.L.1237, No.430), known as "The Divorce Law," amended October 19, 1967 (P.L.451, No.207), is amended to read:

Section 46. Alimony Pendente Lite, Counsel Fees and Expenses.—In case of divorce from the bonds of matrimony or bed and board, the court may, upon petition, in proper cases, allow a **[wife] spouse** reasonable alimony pendente lite and reasonable counsel fees and expenses. If at any time, either before or after a final decree has been entered divorcing the parties, the **[husband] spouse** is in arrears in the payment of the alimony pendente lite, counsel fees and expenses so allowed, the **[wife or ex-wife] other spouse or ex-spouse**, as the case may be, may, by affidavit of default, upon praecipe to the prothonotary, obtain a judgment for such arrearages: Provided, That no such judgment shall be entered more than one year after a final decree is issued.

Section 2. This act shall take effect immediately.

APPROVED—The 27th day of June, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 139.



Secretary of the Commonwealth.