

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1323 Session of  
1995

INTRODUCED BY DELP, MADIGAN, WENGER, HELFRICK, MUSTO AND O'PAKE,  
DECEMBER 1, 1995

REFERRED TO JUDICIARY, DECEMBER 1, 1995

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for regulations on  
3 dissemination of criminal history record information.

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

6 Section 1. Section 9121(b) of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended and the section is amended by  
8 adding a subsection to read:

9 § 9121. General regulations.

10 \* \* \*

11 (b) Dissemination to noncriminal justice agencies and  
12 individuals.--Criminal history record information shall be  
13 disseminated by a State or local police department to any  
14 individual or noncriminal justice agency only upon request.  
15 Except as provided in subsection (b.1):

16 (1) A fee may be charged by a State or local police  
17 department for each request for criminal history record  
18 information by an individual or noncriminal justice agency.

1           (2) Before a State or local police department  
2       disseminates criminal history record information to an  
3       individual or noncriminal justice agency, it shall extract  
4       from the record all notations of arrests, indictments or  
5       other information relating to the initiation of criminal  
6       proceedings where:

7           (i) three years have elapsed from the date of  
8       arrest;

9           (ii) no conviction has occurred; and

10          (iii) no proceedings are pending seeking a  
11       conviction.

12       (b.1) Exception.--Subsection (b)(1) and (2) shall not apply  
13 if the request is made by a county children and youth agency or  
14 the Department of Public Welfare, in the performance of duties  
15 relating to children and youth under the act of June 24, 1937  
16 (P.L.2017, No.396), known as the County Institution District  
17 Law, the act of June 13, 1967 (P.L.31, No.21), known as the  
18 Public Welfare Code, 23 Pa.C.S. Ch. 63 (relating to child  
19 protective services) or 42 Pa.C.S. Ch. 63 (relating to juvenile  
20 matters).

21       \* \* \*

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