

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1320 Session of  
1999

INTRODUCED BY HERMAN, BELFANTI, BROWNE, COY, DeLUCA, FARGO,  
FLICK, GANNON, GEIST, HARHAI, MAHER, MANN, McCALL,  
McILHATTAN, R. MILLER, READSHAW, ROSS, SERAFINI, SEYFERT,  
STABACK, STEELMAN, STERN, TANGRETTI, J. TAYLOR, TIGUE, WILT,  
WOJNAROSKI AND YOUNGBLOOD, APRIL 15, 1999

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 15, 1999

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, making an exception to certain fees  
3 relating to criminal records.

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, amended December 21, 1998 (P.L.1103,  
8 No.149), is amended 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

1 information by an individual or noncriminal justice agency,  
2 except that no fee shall be charged to an individual who  
3 makes the request in order to apply to become a volunteer  
4 with an affiliate of Big Brothers of America or Big Sisters  
5 of America or to participate as a volunteer in a block parent  
6 program, including, but not limited to, the McGruff House  
7 Program.

8 (2) Before a State or local police department  
9 disseminates criminal history record information to an  
10 individual or noncriminal justice agency, it shall extract  
11 from the record all notations of arrests, indictments or  
12 other information relating to the initiation of criminal  
13 proceedings where:

14 (i) three years have elapsed from the date of  
15 arrest;

16 (ii) no conviction has occurred; and

17 (iii) no proceedings are pending seeking a  
18 conviction.

19 \* \* \*

20 Section 2. This act shall take effect immediately.