

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 917 Session of 2011

INTRODUCED BY HUGHES, TARTAGLIONE, FONTANA AND STACK,
MARCH 30, 2011

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MARCH 30, 2011

AN ACT

1 Amending the act of July 2, 1993 (P.L.345, No.48), entitled "An
2 act empowering the General Counsel or his designee to issue
3 subpoenas for certain licensing board activities; providing
4 for hearing examiners in the Bureau of Professional and
5 Occupational Affairs; providing additional powers to the
6 Commissioner of Professional and Occupational Affairs; and
7 further providing for civil penalties and license
8 suspension," providing for criminal history record
9 information.

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

12 Section 1. The act of July 2, 1993 (P.L.345, No.48),
13 entitled "An act empowering the General Counsel or his designee
14 to issue subpoenas for certain licensing board activities;
15 providing for hearing examiners in the Bureau of Professional
16 and Occupational Affairs; providing additional powers to the
17 Commissioner of Professional and Occupational Affairs; and
18 further providing for civil penalties and license suspension,"
19 is amended by adding a section to read:

20 Section 5.2. Criminal history record information.

21 The Bureau of Enforcement and Investigation, licensing boards

and commissions under the Bureau of Professional and
Occupational Affairs and the Prosecution Division of the Legal
Office in the Department of State shall have the specific power
and duty, for purposes of licensing and enforcement, to receive
information otherwise protected by 18 Pa.C.S. Ch. 91 (relating
to criminal history record information). This information shall
be protected from dissemination as if the Bureau of Enforcement
and Investigation, the licensing boards or commissions and the
Prosecution Division of the Department of State were a criminal
justice agency as defined under 18 Pa.C.S. § 9102 (relating to
definitions) of the Criminal History Record Information Act. The
Bureau of Enforcement and Investigation, licensing boards and
commissions and Prosecution Division of the Department of State
may consider this information in determining whether to grant,
renew, suspend or revoke any license, certificate, registration
or permit.

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