

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**  
**No. 1323** Session of  
1995

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

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, MAY 14, 1996

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

1 information by an individual or noncriminal justice agency.

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

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

10 (ii) no conviction has occurred; and

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

13 (b.1) Exception.--Subsection (b)(1) and (2) shall not apply  
14 if the request is made by a county children and youth agency or  
15 the Department of Public Welfare, in the performance of duties  
16 relating to children and youth under the act of June 24, 1937  
17 (P.L.2017, No.396), known as the County Institution District  
18 Law, SECTION 2168 OF THE ACT OF AUGUST 9, 1955 (P.L.323, <—  
19 NO.130), KNOWN AS THE COUNTY CODE, the act of June 13, 1967  
20 (P.L.31, No.21), known as the Public Welfare Code, 23 Pa.C.S.  
21 Ch. 63 (relating to child protective services) or 42 Pa.C.S. Ch.  
22 63 (relating to juvenile matters).

23 \* \* \*

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