

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 40 Session of 2011

INTRODUCED BY GREENLEAF, ERICKSON, RAFFERTY, KITCHEN,
TARTAGLIONE AND BREWSTER, JANUARY 12, 2011

REFERRED TO JUDICIARY, JANUARY 12, 2011

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 23 (Domestic
2 Relations) of the Pennsylvania Consolidated Statutes, in
3 criminal history record information, further providing for
4 general regulations; and, in child protective services,
5 further providing for information relating to prospective
6 child-care personnel.

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

9 Section 1. Section 9121(b) of Title 18 of the Pennsylvania
10 Consolidated Statutes is amended to read:

11 § 9121. General regulations.

12 * * *

13 (b) Dissemination to noncriminal justice agencies and
14 individuals.--Criminal history record information shall be
15 disseminated by a State or local police department to any
16 individual or noncriminal justice agency only upon request.

17 Except as provided in subsection (b.1):

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

1 except that no fee shall be charged to an individual who
2 makes the request in order to apply to become a volunteer
3 with an affiliate of United States Youth Soccer, Big Brothers
4 of America or Big Sisters of America or with a rape crisis
5 center or domestic violence program.

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

12 (i) three years have elapsed from the date of
13 arrest;

14 (ii) no conviction has occurred; and

15 (iii) no proceedings are pending seeking a
16 conviction.

17 * * *

18 Section 2. Section 6344(h) of Title 23 is amended to read:
19 § 6344. Information relating to prospective child-care
20 personnel.

21 * * *

22 (h) Fees.--The department may charge a fee not to exceed \$10
23 in order to conduct the certification as required in subsection
24 (b) (2), except that no fee shall be charged to an individual who
25 makes the request in order to apply to become a volunteer with
26 an affiliate of United States Youth Soccer, Big Brothers of
27 America or Big Sisters of America or with a rape crisis center
28 or domestic violence shelter.

29 * * *

30 Section 3. This act shall take effect in 60 days.