
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1428 Session of
2012

INTRODUCED BY KITCHEN AND WASHINGTON, FEBRUARY 16, 2012

REFERRED TO JUDICIARY, FEBRUARY 16, 2012

AN ACT

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

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

6 Section 1. 9122(b) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 9122. Expungement.

9 * * *

10 (b) Generally.--Criminal history record information may be
11 expunged when:

12 (1) An individual who is the subject of the information
13 reaches 70 years of age and has been free of arrest or
14 prosecution for ten years following final release from
15 confinement or supervision.

16 (2) An individual who is the subject of the information
17 has been dead for three years.

18 (3) (i) An individual who is the subject of the
19 information petitions the court for the expungement of a

1 summary offense and has been free of arrest or
2 prosecution for five years following the conviction for
3 that offense.

4 (ii) Expungement under this paragraph shall only be
5 permitted for a conviction of a summary offense.

6 (4) (i) An individual who is the subject of the
7 information petitions the court for an expungement of a
8 nonviolent offense as defined by this paragraph and that
9 individual has been free from arrest or prosecution for
10 at least five years, following the conviction for that
11 offense.

12 (ii) A nonviolent offense is a criminal offense
13 graded as a felony or misdemeanor that is not a crime of
14 violence under 42 Pa.C.S. § 9714(g) (relating to
15 sentences for second and subsequent offenses) or a
16 personal injury crime under section 103 of the act of
17 November 24, 1998 (P.L.882, No.111), known as the Crime
18 Victims Act. The term shall not include a criminal
19 offense where the victim was a minor or any offense
20 punishable under Chapter 63 (relating to minors).

21 * * *

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