

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

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

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

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

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

\* \* \*

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