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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 515 Session of  
2015

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INTRODUCED BY DEAN, ROZZI, MILLARD, DAWKINS, ENGLISH, J. HARRIS,  
BIZZARRO, LONGIETTI, BROWNLEE, BISHOP, SAINATO, SCHLOSSBERG,  
KINSEY, MURT, MAHONEY, SCHREIBER, DAVIDSON, THOMAS, GIBBONS,  
MULLERY, COHEN, JOZWIAK, A. HARRIS, PETRARCA, YOUNGBLOOD,  
KIM, ACOSTA, DRISCOLL, KORTZ, QUINN, D. COSTA, SCHWEYER,  
D. PARKER, SNYDER, BRADFORD, FREEMAN, COX AND FRANKEL,  
JUNE 10, 2015

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JUNE 10, 2015

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AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 23 (Domestic  
2 Relations) of the Pennsylvania Consolidated Statutes, in  
3 miscellaneous provisions, further providing for general  
4 regulations; and, in child protective services, further  
5 providing for employees having contact with children,  
6 adoptive and foster parents.

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):

1 (1) A fee may be charged by a State or local police  
2 department for each request for criminal history record  
3 information by an individual or noncriminal justice agency,  
4 except that no fee shall be charged to an individual who:

5 (i) makes the request in order to apply to become a  
6 volunteer with an affiliate of Big Brothers of America or  
7 Big Sisters of America or with a rape crisis center or  
8 domestic violence program[.]; or

9 (ii) makes the request to apply for or maintain a  
10 volunteer position. If the individual makes more than one  
11 request each 36 months, a fee shall be charged for the  
12 second and subsequent requests.

13 (2) Before a State or local police department  
14 disseminates criminal history record information to an  
15 individual or noncriminal justice agency, it shall extract  
16 from the record all notations of arrests, indictments or  
17 other information relating to the initiation of criminal  
18 proceedings where:

19 (i) three years have elapsed from the date of  
20 arrest;

21 (ii) no conviction has occurred; and

22 (iii) no proceedings are pending seeking a  
23 conviction.

24 \* \* \*

25 Section 2. Section 6344(h) of Title 23 is amended to read:

26 § 6344. Employees having contact with children; adoptive and  
27 foster parents.

28 \* \* \*

29 (h) Fees.--The department may charge a fee not to exceed \$10  
30 in order to conduct the certification as required in subsection

1 (b) (2), except that no fee shall be charged to an individual  
2 who:

3 (i) makes the request in order to apply to become a  
4 volunteer with an affiliate of Big Brothers of America or  
5 Big Sisters of America or with a rape crisis center or  
6 domestic violence shelter[.]; or

7 (ii) makes the request to apply for or maintain a  
8 volunteer position. If the individual makes more than one  
9 request each 36 months, a fee shall be charged for the  
10 second and subsequent requests.

11 \* \* \*

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