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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1043 Session of  
2018

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INTRODUCED BY GREENLEAF, LEACH, EICHELBERGER, SCAVELLO,  
BARTOLOTTA, LANGERHOLC, FARNESE, HAYWOOD, WHITE, HUGHES AND  
STREET, FEBRUARY 9, 2018

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REFERRED TO JUDICIARY, FEBRUARY 9, 2018

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AN ACT

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

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

7 Section 1. Section 9125 of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 9125. Use of records for employment.

10 (a) General rule.--Whenever an employer is in receipt of  
11 information which is part of [an employment applicant's] the  
12 criminal history record information file of an employment  
13 applicant or an employee, it may use that information for the  
14 purpose of deciding whether or not to [hire the applicant] begin  
15 or continue employment, only in accordance with this section.

16 (b) Use of information.--Felony and misdemeanor convictions  
17 may be considered by the employer only to the extent to which  
18 they relate to [the applicant's] suitability for employment in

1 the position [for which he has] applied for or held.

2 (c) Notice.--

3 (1) The employer shall notify in writing the applicant  
4 if the decision not to hire the applicant is based in whole  
5 or in part on criminal history record information.

6 (2) The employer shall notify in writing the employee if  
7 an adverse employment decision is based in whole or in part  
8 on criminal history record information.

9 Section 2. This act shall take effect in 30 days.