

AMENDMENTS TO HOUSE BILL NO. 1477

Sponsor: REPRESENTATIVE DELOZIER

Printer's No. 3005

1 Amend Bill, page 5, lines 24 through 26, by striking out all
2 of said lines and inserting

3 Section 1. Section 9124(a), (b)(2) and (c) introductory
4 paragraph of Title 18 of the Pennsylvania Consolidated Statutes
5 are amended and the section is amended by adding a subsection to
6 read:

7 Amend Bill, page 6, lines 15 and 16, by striking out

8 "SUPPLEMENTARY PROVISIONS REGARDING" and inserting

9 consideration of

10 Amend Bill, page 7, by inserting between lines 4 and 5

11 (c) State action authorized.--[Boards,] Except as provided
12 in 63 Pa.C.S. § 3113 (relating to consideration of criminal
13 convictions), boards, commissions or departments of the
14 Commonwealth authorized to license, certify, register or permit
15 the practice of trades, occupations or professions may refuse to
16 grant or renew, or may suspend or revoke any license,
17 certificate, registration or permit for the following causes:

18 * * *

19 Amend Bill, page 7, line 29, by striking out "SUPPLEMENTARY

20 PROVISIONS REGARDING CRIMINAL CONVICTIONS." and inserting

21 Consideration of criminal convictions.

22 Amend Bill, page 25, line 26, by inserting after "LICENSE"

23 or a cosmetology license

24 Amend Bill, page 25, lines 27 and 28, by striking out

25 "SECTION 3(A) OF"

26 Amend Bill, page 25, lines 29 and 30; page 26, line 1; by
27 striking out "THAT AN APPLICANT FOR A" in line 29 and all of

1 line 30 on page 25 and "4(A) OF" in line 1 on page 26 and

2 inserting

3 in the practice of cosmetology under

4 Amend Bill, page 31, line 30; page 32, lines 1 through 15; by

5 striking out all of said lines on said pages and inserting

6 § 3113. Consideration of criminal convictions.

7 (a) Applicability.--This section shall apply to licensing
8 boards and licensing commissions notwithstanding the following:

9 (1) Any other statutory provision to the contrary
10 regarding the consideration of good moral character, crimes
11 of moral turpitude or ethical or honest practice with respect
12 to disqualification of licensure due to criminal conviction.

13 (2) 18 Pa.C.S. § 9124(c) (relating to use of records by
14 licensing agencies).

15 (3) Any other statutory provision that disqualifies an
16 individual from holding a license, certificate, registration
17 or permit due to the individual's criminal conviction.

18 (a.1) Consideration.--A licensing board or licensing
19 commission may not consider the provisions specified under
20 subsection (a) in determining whether an individual qualifies
21 for a license, certificate, registration or permit but instead
22 shall determine the individual's qualification for a license,
23 certificate, registration or permit in accordance with the
24 procedures specified under this section.

25 Amend Bill, page 36, line 27, by striking out "10" and

26 inserting

27 50

28 Amend Bill, page 36, line 27, by striking out "21" and

29 inserting

30 51

31 Amend Bill, page 36, line 29, by inserting after "SECTION "

32 3 or

33 Amend Bill, page 37, line 1, by striking out "10" and

34 inserting

35 100

36 Amend Bill, page 37, line 4, by striking out "10" and

37 inserting

38 100

1 Amend Bill, page 37, line 17, by striking out "10" and
2 inserting

3 100

4 Amend Bill, page 38, line 2, by striking out "FIVE" and
5 inserting

6 50

7 Amend Bill, page 38, line 8, by striking out "100" and
8 inserting

9 1,000

10 Amend Bill, page 38, line 9, by striking out "30" and
11 inserting

12 300

13 Amend Bill, page 38, line 12, by striking out "FIVE" and
14 inserting

15 10

16 Amend Bill, page 38, by inserting between lines 12 and 13

17 (8) Carfentanil or a mixture containing carfentanil, if
18 the aggregate weight of the compound or mixture containing
19 the carfentanil is one gram or more.

20 Amend Bill, page 40, line 20, by striking out "PROCEEDINGS"
21 and inserting

22 proceeding

23 Amend Bill, page 40, line 20, by striking out "JUDGMENT" and
24 inserting

25 criminal conviction

26 Amend Bill, page 41, line 4, by inserting after "THAT"

27 , except with regard to the detailed description under
28 subsection (a) (2) (ii) and as specified under paragraph (4),

29 Amend Bill, page 41, lines 5 through 8, by striking out all
30 of said lines and inserting

31 (4) The determination by the licensing board or
32 licensing commission shall be binding, subject to:

33 (i) A review of criminal history record information

1 submitted during the application process.
2 (ii) Section 3113 (relating to consideration of
3 criminal convictions).

4 Amend Bill, page 42, line 30; page 43, line 1, by striking
5 out "SUPPLEMENTARY PROVISIONS REGARDING" and inserting
6 consideration of

7 Amend Bill, page 43, line 19, by inserting after "ISSUE"
8 or renew

9 Amend Bill, page 45, lines 13 and 14, by striking out
10 "SUPPLEMENTARY PROVISIONS REGARDING" and inserting
11 consideration of

12 Amend Bill, page 45, lines 24 and 25, by striking out
13 "SUPPLEMENTARY PROVISIONS REGARDING" and inserting
14 consideration of