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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 103      Session of  
1999

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INTRODUCED BY JADLOWIEC, BAKER, SEYFERT, GEIST, HENNESSEY,  
FARGO, HALUSKA, SATHER, BELFANTI, KENNEY, TRELLO, LYNCH,  
CLARK, CALTAGIRONE, McNAUGHTON, BELARDI, ROSS, COLAFELLA AND  
SURRA, JANUARY 25, 1999

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REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 25, 1999

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for mandatory  
3 fingerprinting.

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

6 Section 1. Section 9112 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 9112. Mandatory fingerprinting.

9 (a) General rule.--Fingerprints of all persons arrested for  
10 a felony, misdemeanor or summary offense which becomes a  
11 misdemeanor on a second arrest after conviction of that summary  
12 offense, shall be taken by the arresting authority, and within  
13 48 hours of the arrest, shall be forwarded to, and in a manner  
14 and such a form as provided by, the central repository.

15 (b) Other cases.--

16 (1) Where private complaints for a felony or misdemeanor  
17 result in a conviction, the court of proper jurisdiction

1 shall order the defendant to submit for fingerprinting by the  
2 municipal police of the jurisdiction in which the offense was  
3 allegedly committed or in the absence of a police department,  
4 the State Police. Fingerprints so obtained shall, within 48  
5 hours, be forwarded to the central repository in a manner and  
6 in such form as may be provided by the central repository.

7 (2) Where defendants named in police complaints are  
8 proceeded against by summons and the charges are still  
9 pending or the defendants have been convicted, pled guilty or  
10 nolo contendere, or entered into an Accelerated  
11 Rehabilitative Disposition Program, or for offenses under  
12 section 3929 (relating to retail theft), or for offenses  
13 under section 5507 (relating to obstructing highways and  
14 other public passages), the court of proper jurisdiction  
15 shall order the defendant to submit within five days of such  
16 order for fingerprinting by the municipal police of the  
17 jurisdiction in which the offense allegedly was committed or,  
18 in the absence of a police department, the State Police.  
19 Fingerprints so obtained shall, within 48 hours, be forwarded  
20 to the central repository in a manner and in such form as may  
21 be provided by the central repository.

22 (c) Transmittal of information.--The central repository  
23 shall transmit the criminal history record information to the  
24 criminal justice agency which submitted a complete, accurate and  
25 classifiable fingerprint card.

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