
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 20

Special Session No. 1 of
1995

INTRODUCED BY HECKLER, GREENLEAF, FISHER, SHAFFER, BRIGHTBILL,
O'PAKE, ANDREZESKI, WAGNER, JUBELIRER, LOEPER, WENGER,
TILGHMAN, PETERSON, MELLOW, BODACK, HOLL, SHUMAKER,
SALVATORE, BAKER, CORMAN, LAVALLE, PORTERFIELD, MUSTO,
MOWERY, MADIGAN, ARMSTRONG, ROBBINS, STOUT, HART, PUNT, DELP,
KASUNIC, GERLACH, TOMLINSON, ULIANA, STEWART, TARTAGLIONE,
STAPLETON AND SCHWARTZ, JANUARY 24, 1995

REFERRED TO JUDICIARY, JANUARY 24, 1995

AN ACT

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

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

6 Section 1. Section 9123 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 9123. Juvenile records.

9 (a) Expungement of juvenile records.--Notwithstanding the
10 provisions of section 9105 (relating to other criminal justice
11 information) and except upon cause shown, expungement of records
12 of juvenile delinquency cases wherever kept or retained shall
13 occur after [ten days] 30 days' notice to the district attorney,
14 whenever the court upon its motion or upon the motion of a child
15 or the parents or guardian finds:

16 (1) a complaint is filed which is not substantiated or

1 the petition which is filed as a result of a complaint is
2 dismissed by the court;

3 (2) six months have elapsed since the final discharge of
4 the person from supervision under a consent decree and no
5 proceeding seeking adjudication or conviction is pending; or

6 (3) five years have elapsed since the final discharge of
7 the person from commitment, placement, probation or any other
8 disposition and referral and since such final discharge, the
9 person has not been convicted of a felony, misdemeanor or
10 adjudicated delinquent and no proceeding is pending seeking
11 such conviction or adjudication[; or

12 (4) the individual is 21 years of age or older and a
13 court orders the expungement].

14 (b) Notice to prosecuting attorney.--The court shall give
15 notice of the applications for the expungement of juvenile
16 records to the prosecuting attorney.

17 (c) Dependent children.--All records of children alleged to
18 be or adjudicated dependent may be expunged upon court order
19 after the child is 21 years of age or older.

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