

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 99

Special Session No. 1 of  
1995

INTRODUCED BY MADIGAN, FISHER, RHOADES, GERLACH, O'PAKE, HOLL,  
ROBBINS, HELFRICK, HART, SALVATORE, BAKER, ULIANA BRIGHTBILL,  
WENGER, HECKLER, ANDREZESKI, MELLOW, LEMMOND, ARMSTRONG,  
CORMAN, SHUMAKER, PETERSON, WAGNER AND MOWERY, MAY 22, 1995

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, OCTOBER 16, 1995

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 JUVENILE HISTORY RECORD INFORMATION AND FOR adjudication. <—

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

6 ~~Section 1. Section 6341 of Title 42 of the Pennsylvania~~ <—  
7 ~~Consolidated Statutes is amended by adding a subsection to read:~~

8 SECTION 1. SECTION 6309(C) OF TITLE 42 OF THE PENNSYLVANIA <—  
9 CONSOLIDATED STATUTES, AMENDED MARCH 15, 1995 (1ST SP.SESS.,  
10 P.L. , NO.6), IS AMENDED AND THE SECTION IS AMENDED BY ADDING A  
11 SUBSECTION TO READ:

12 § 6309. JUVENILE HISTORY RECORD INFORMATION.

13 \* \* \*

14 (C) FINGERPRINTS AND PHOTOGRAPHS.--THE ARRESTING AUTHORITY  
15 SHALL ENSURE THAT THE FINGERPRINTS AND PHOTOGRAPHS OF AN ALLEGED  
16 DELINQUENT WHOSE FINGERPRINTS AND PHOTOGRAPHS WHICH HAVE BEEN

1 TAKEN BY AN ARRESTING AUTHORITY PURSUANT TO SECTION 6308(C) ARE  
2 FORWARDED TO THE CENTRAL REPOSITORY[.] AS REQUIRED BY THE  
3 PENNSYLVANIA STATE POLICE.

4 (D) DISPOSITION REPORTING.--THE DIVISION OR JUDGE OF THE  
5 COURT ASSIGNED TO CONDUCT JUVENILE HEARINGS SHALL, WITHIN SEVEN  
6 DAYS AFTER DISPOSITION OF A CASE WHERE THE CHILD HAS BEEN  
7 ALLEGED TO BE DELINQUENT, NOTIFY THE ARRESTING AUTHORITY OF THE  
8 DISPOSITION OF THE CASE. IN ADDITION, IT SHALL COLLECT AND  
9 SUBMIT THE DISPOSITION OF CASES RESULTING IN ADJUDICATION OF  
10 DELINQUENCY FOR INCLUSION IN THE CENTRAL REPOSITORY WITHIN 90  
11 DAYS OF AN ADJUDICATION OF DELINQUENCY AS REQUIRED BY THE  
12 JUVENILE COURT JUDGES' COMMISSION.

13 \* \* \*

14 SECTION 2. SECTION 6341 OF TITLE 42 IS AMENDED BY ADDING A  
15 SUBSECTION TO READ:

16 § 6341. Adjudication.

17 \* \* \*

18 (b.1) School notification.--

19 (1) Upon finding a child to be a delinquent child, the  
20 court shall, through the juvenile probation department,  
21 provide the following information to the building principal  
22 or his or her designee of any public, private or parochial  
23 school in which the child is enrolled:

24 (i) Name and address of the child.

25 (ii) The delinquent act or acts which the child was  
26 found to have committed.

27 (iii) A brief description of the delinquent act or  
28 acts.

29 (iv) The disposition of the case.

30 (2) If the child is adjudicated delinquent for an act or

1 acts which if committed by an adult would be classified as a  
2 felony, the court through the juvenile probation department  
3 shall additionally provide to the building principal or his  
4 or her designee relevant information contained in the  
5 juvenile probation or treatment reports pertaining to the  
6 adjudication, prior delinquent history and the supervision  
7 plan of the delinquent child.

8 (3) Notwithstanding any provision set forth herein, the  
9 court or juvenile probation department shall have the  
10 authority to share any additional information regarding the  
11 delinquent child under its jurisdiction with the building  
12 principal or his or her designee as deemed necessary to  
13 protect public safety or to enable appropriate treatment,  
14 supervision or rehabilitation of the delinquent child.

15 (4) Information provided under this subsection is for  
16 the limited purposes of protecting school personnel and  
17 students from danger from the delinquent child and of  
18 arranging appropriate counseling and education for the  
19 delinquent child. Information obtained under this subsection  
20 may not be used for admissions or disciplinary decisions  
21 concerning the delinquent child unless the act or acts  
22 surrounding the adjudication took place on or within 1,500  
23 feet of the school property.

24 (5) Any information provided to the building principal  
25 or his or her designee under this subsection shall be  
26 maintained separately from the child's official school  
27 record. Such information shall be secured and disseminated by  
28 the building principal or his or her designee only as  
29 appropriate in paragraph (4).

30 \* \* \*

1       Section ~~2~~ 3.   This act shall take effect in 60 days.

<—