

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 149 Session of 1997

INTRODUCED BY ALLEN, WOGAN, HORSEY, CLARK, YOUNGBLOOD, EGOLF, FICHTER, HERSHEY, B. SMITH, TIGUE, ARGALL, DENT, TRELLO, WAUGH, LYNCH, BATTISTO, GODSHALL, BELARDI, READSHAW, LEH, SHANER, BARD, FAIRCHILD, BEBKO-JONES, WOJNAROSKI, BROWNE, HUTCHINSON, COWELL, MICOZZIE, MICHLOVIC, SAYLOR, CLYMER, DALLY, DIGIROLAMO, SATHER, HESS, BLAUM, BAKER, MAITLAND, ZUG, DEMPSEY, RAMOS, STERN, BOSCOLA, SCRIMENTI, MCGILL, TRUE, PISTELLA, E. Z. TAYLOR, FARGO, ROONEY, GIGLIOTTI, MILLER, GRUPPO, SEMMEL, D. W. SNYDER, PHILLIPS, RAYMOND, BARRAR, BELFANTI, J. TAYLOR, LUCYK, STEVENSON, C. WILLIAMS AND STEELMAN, JANUARY 29, 1997

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 29, 1997

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for the expungement  
3 of certain arrest records relating to sexual offenses.

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

6 Section 1. Section 9122 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subsection to read:

8 § 9122. Expungement.

9 \* \* \*

10 (b.1) Prohibition.--A court shall not have the authority to  
11 order expungement of the defendant's arrest record where the  
12 defendant was placed on Accelerated Rehabilitative Disposition  
13 for a violation of any offense set forth in any of the following  
14 where the victim is under 18 years of age:

1       Section 3121 (relating to rape).

2       Section 3122.1 (relating to statutory sexual assault).

3       Section 3123 (relating to involuntary deviate sexual  
4 intercourse).

5       Section 3124.1 (relating to sexual assault).

6       Section 3125 (relating to aggravated indecent assault).

7       Section 3126 (relating to indecent assault).

8       Section 5902(b) (relating to prostitution and related  
9 offenses).

10       Section 5903 (relating to obscene and other sexual  
11 materials and performances).

12       \* \* \*

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