

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 818 Session of
2001

INTRODUCED BY O'PAKE, MELLOW, MUSTO, LAVALLE, BOSCOLA, COSTA,
WAGNER, LOGAN, TARTAGLIONE, BODACK, GREENLEAF AND HOLL,
MAY 2, 2001

SENATOR GREENLEAF, JUDICIARY, AS AMENDED, MAY 22, 2001

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for law
3 enforcement records.

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

6 Section 1. Section 6308(b)(1) of Title 42 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 § 6308. Law enforcement records.

9 * * *

10 (b) Public availability.--

11 (1) The contents of law enforcement records and files
12 concerning a child shall not be disclosed to the public
13 except if the child is 14 or more years of age at the time of
14 the alleged conduct and if any of the following apply:

15 (i) The child has been adjudicated delinquent by a
16 court as a result of an act or acts [which include the
17 elements of rape, kidnapping, murder, robbery, arson,
18 burglary, violation of ~~18 Pa.C.S. § 6312 (relating to~~

<—

<—

1 ~~sexual abuse of children) or~~ section 13(a)(30) of the act
2 of April 14, 1972 (P.L.233, No.64), known as The
3 Controlled Substance, Drug, Device and Cosmetic Act, or
4 other act involving the use of or threat of serious
5 bodily harm] SUBJECT TO A HEARING PURSUANT TO SECTION <—
6 6336(E) (RELATING TO CONDUCT OF HEARINGS).

7 (ii) A petition alleging delinquency has been filed
8 by a law enforcement agency alleging that the child has
9 committed an act or acts [which include the elements of <—
10 rape, kidnapping, murder, robbery, arson, burglary,
11 violation of ~~18 Pa.C.S. § 6312 or~~ section 13(a)(30) of <—
12 The Controlled Substance, Drug, Device and Cosmetic Act,
13 or other act involving the use of or threat of serious
14 bodily harm] SUBJECT TO A HEARING PURSUANT TO SECTION <—
15 6336(E) and the child previously has been adjudicated
16 delinquent by a court as a result of an act or acts which
17 included the elements of one of such crimes.

18 * * *

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