

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 24 Session of 2003

INTRODUCED BY YEWIC, ADOLPH, BAKER, BARRAR, BELFANTI, BUNT, CIVERA, DALLY, GEIST, GORDNER, HENNESSEY, HUTCHINSON, LEVDANSKY, McCALL, MELIO, MUNDY, PIPPY, ROEBUCK, SCHRODER, STABACK, TIGUE, SCAVELLO, BISHOP, CASORIO, COHEN, CREIGHTON, GEORGE, GRUCELA, HERMAN, JAMES, CAPPELLI, McILHATTAN, R. MILLER, PHILLIPS, PISTELLA, SATHER, SHANER, R. STEVENSON AND WILT, JANUARY 29, 2003

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 29, 2003

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 23 (Domestic
2 Relations) of the Pennsylvania Consolidated Statutes, further
3 providing for exemptions from fees relating to criminal
4 history record information.

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

7 Section 1. Section 9121(b) of Title 18 of the Pennsylvania
8 Consolidated Statutes, amended October 28, 2002 (P.L.888,
9 No.129), is amended to read:

10 § 9121. General regulations.

11 * * *

12 (b) Dissemination to noncriminal justice agencies and
13 individuals.--Criminal history record information shall be
14 disseminated by a State or local police department to any
15 individual or noncriminal justice agency only upon request.

16 Except as provided in subsection (b.1):

1 (1) A fee may be charged by a State or local police
2 department for each request for criminal history record
3 information by an individual or noncriminal justice agency,
4 except that no fee shall be charged to an individual who
5 makes the request in order to apply to become a volunteer
6 with an affiliate of Big Brothers of America or Big Sisters
7 of America [or], with a rape crisis center or domestic
8 violence program or with a member or affiliate of Little
9 League Baseball.

10 (2) Before a State or local police department
11 disseminates criminal history record information to an
12 individual or noncriminal justice agency, it shall extract
13 from the record all notations of arrests, indictments or
14 other information relating to the initiation of criminal
15 proceedings where:

16 (i) three years have elapsed from the date of
17 arrest;

18 (ii) no conviction has occurred; and

19 (iii) no proceedings are pending seeking a
20 conviction.

21 * * *

22 Section 2. Section 6344(h) of Title 23 is amended to read:

23 § 6344. Information relating to prospective child-care
24 personnel.

25 * * *

26 (h) Fees.--The department may charge a fee not to exceed \$10
27 in order to conduct the certification as required in subsection
28 (b)(2), except that no fee shall be charged to an individual who
29 makes the request in order to apply to become a volunteer with
30 an affiliate of Big Brothers of America or Big Sisters of

1 America [or], with a rape crisis center or domestic violence
2 shelter or with a member or affiliate of Little League Baseball.

3 * * *

4 Section 3. This act shall take effect in 60 days.