

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1220 Session of  
2011

INTRODUCED BY SOLOBAY, TARTAGLIONE, BOSCOLA, FERLO, FONTANA,  
GREENLEAF, MENSCH, D. WHITE AND WILLIAMS, AUGUST 2, 2011

REFERRED TO JUDICIARY, AUGUST 2, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for expungement of  
3 criminal history record.

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

6 Section 1. Section 9122(b) of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 9122. Expungement.

9 \* \* \*

10 (b) Generally.--Criminal history record information may be  
11 expunged when:

12 (1) An individual who is the subject of the information  
13 reaches 70 years of age and has been free of arrest or  
14 prosecution for ten years following final release from  
15 confinement or supervision.

16 (2) Any individual who is the subject of the  
17 information has been dead for three years.

18 (3) (i) An individual who is the subject of the

1 information, petitions the court for the expungement of a  
2 summary offense and has been free of arrest or  
3 prosecution for five years following the conviction for  
4 that offense.

5 (ii) Expungement under this paragraph shall only be  
6 permitted for a conviction of a summary offense.

7 (4) (i) An individual who is the subject of the  
8 information petitions for expungement of the information  
9 and the individual has been free of arrest or prosecution  
10 following final release from confinement or supervision  
11 for the greater of the following time periods:

12 (A) In the case of a misdemeanor of the third  
13 degree, seven years.

14 (B) In the case of a misdemeanor of the second  
15 degree, ten years.

16 (ii) This paragraph shall not apply to any  
17 individual who has been convicted of:

18 (A) An offense punishable by imprisonment of  
19 more than two years.

20 (B) Four or more offenses punishable by  
21 imprisonment of one or more years.

22 (C) A violation of section 2701 (relating to  
23 simple assault).

24 (D) An offense classified as a misdemeanor of  
25 the second degree committed when the individual was  
26 at least 25 years of age.

27 (E) A violation of section 3126 (relating to  
28 indecent assault).

29 (F) A violation of section 3129 (relating to  
30 sexual intercourse with animal).

1                   (G) A violation of section 5511 (relating to  
2                   cruelty to animals).

3                   (H) A violation of any provision of Chapter 61  
4                   (relating to firearms and other dangerous articles).

5           \* \* \*

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