
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 722 Session of
2015

INTRODUCED BY CRUZ, YOUNGBLOOD, CALTAGIRONE, J. HARRIS,
DONATUCCI, KINSEY, BROWNLEE, SCHLOSSBERG, HEFFLEY, THOMAS,
SCHREIBER, BISHOP, MURT, V. BROWN, READSHAW, D. COSTA, COHEN
AND MAHONEY, MARCH 6, 2015

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 6, 2015

AN ACT

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

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) An individual who is the subject of the information
17 has been dead for three years.

1 (3) (i) An individual who is the subject of the
2 information petitions the court for the expungement of a
3 summary offense and has been free of arrest or prosecution
4 for five years following the conviction for that offense.

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

7 (4) An individual who is the subject of the information
8 has been arrested as a result of mistaken identity and no
9 charges have been filed against the individual.

10 (i) Not later than 90 days after an investigation by
11 a law enforcement agency finds that an individual was
12 arrested as a result of mistaken identity and no charges
13 have been filed, the law enforcement agency whose
14 officers made the arrest shall petition the court for the
15 expungement of the individual's criminal history record
16 information made as a result of mistaken identity, at no
17 cost to the individual.

18 (ii) Not later than 90 days after receiving and
19 reviewing the petition, the court shall order the
20 expungement of all criminal history record information
21 and all administrative records of the law enforcement
22 agency relating to the individual's arrest as a result of
23 mistaken identity.

24 * * *

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