

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 812 Session of 2019

INTRODUCED BY WARREN, McNEILL, HILL-EVANS, MURT, KORTZ AND  
NEILSON, MARCH 13, 2019

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 13, 2019

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.1) of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended 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 any of the following apply:

13 (1) The defendant was placed on Accelerated  
14 Rehabilitative Disposition for a violation of any offense set  
15 forth in any of the following where the victim is under 18  
16 years of age:

17 Section 3121 (relating to rape).

18 Section 3122.1 (relating to statutory sexual assault).

1           Section 3123 (relating to involuntary deviate sexual  
2 intercourse).

3           Section 3124.1 (relating to sexual assault).

4           Section 3125 (relating to aggravated indecent assault).

5           Section 3126 (relating to indecent assault).

6           Section 3127 (relating to indecent exposure).

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

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

11           (2) The defendant was placed on Accelerated  
12 Rehabilitative Disposition within the previous five years for  
13 an offense that occurred in the presence of a child who was  
14 under 14 years of age.

15           \* \* \*

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