

LEGISLATIVE REFERENCE BUREAU

L.R.B. Form No. 4 (Rev. 3/25/10)

2014D08524LKK:JMT

No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for expungement.

INTRODUCED _____ 20 _____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

| | |
|---------------------------------|----------|
| Referred to Committee on | |
| Date _____ | 20 _____ |
| Reported _____ | 20 _____ |
| As Committed-Amended | |
| Recommendation | |
| _____ | |
| By Hon. _____ | |

AN ACT

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

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

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

7 § 9122. Expungement.

8 * * *

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

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

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

17 (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 has been successfully granted an
9 unconditional executive pardon by the Governor and
10 petitions the court for the expungement of the offense
11 for which he or she is pardoned.

12 (ii) During an instance when a person receives a
13 conditional executive pardon by the Governor, the terms
14 of which may preclude the complete expungement of the
15 individual's criminal record, all records shall be
16 expunged with the exception of records collected,
17 maintained and disseminated by the Pennsylvania State
18 Police. The information contained in a record collected
19 and maintained by the Pennsylvania State Police shall
20 only be disseminated, upon request, to a criminal justice
21 agency, as defined in § 9102 (relating to definitions),
22 in a subsequent criminal proceeding involving a recipient
23 of a conditional executive pardon that has violated an
24 applicable term and condition.

25 * * *

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