

## 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 the individual 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 section 9102 (relating to  
22 definitions), in a subsequent criminal proceeding  
23 involving a recipient of a conditional executive pardon  
24 that has violated an applicable term and condition.

25 \* \* \*

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