
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1538 Session of
1992

INTRODUCED BY LEWIS, REIBMAN, BORTNER, MUSTO, STAPLETON,
TILGHMAN, O'PAKE, HART, BELAN, FISHER, DAWIDA AND LYNCH,
FEBRUARY 4, 1992

REFERRED TO JUDICIARY, FEBRUARY 4, 1992

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, adding and amending definitions; and
3 providing for fingerprints in Federal prosecutions.

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

6 Section 1. The definitions of "central repository" and
7 "criminal history record information" in section 9102 of Title
8 18 of the Pennsylvania Consolidated Statutes are amended and the
9 section is amended by adding a definition to read:

10 § 9102. Definitions.

11 The following words and phrases when used in this chapter
12 shall have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 * * *

15 "Automated Fingerprint Identification System" or "AFIS." An
16 automated system devoted to fingerprint identification.

17 * * *

18 "Central repository" or "CR." The central location for the

1 collection, compilation, maintenance and dissemination of
2 criminal history record information by the Pennsylvania State
3 Police.

4 "Criminal history record information" or "CHRI." Information
5 collected by criminal justice agencies concerning individuals,
6 and arising from the initiation of a criminal proceeding,
7 consisting of identifiable descriptions, dates and notations of
8 arrests, indictments, informations or other formal criminal
9 charges and any dispositions arising therefrom. The term does
10 not include intelligence information, investigative information
11 or treatment information, including medical and psychological
12 information, or information and records specified in section
13 9104 (relating to scope).

14 * * *

15 Section 2. Title 18 is amended by adding a section to read:
16 § 9115. Fingerprints in Federal prosecutions.

17 If a person is arrested by Federal authorities as a result of
18 a joint investigation with any State or local law enforcement
19 agency within this Commonwealth, the law enforcement agency
20 shall obtain the fingerprints of the person and forward them to
21 the central repository of the Pennsylvania State Police in the
22 form and manner designated by the central repository for entry
23 into its Automated Fingerprint Identification System. Any
24 criminal history record information which may be contained in
25 the fingerprint card shall not be compiled with any other
26 criminal history record information of the person, and the
27 fingerprints shall be used solely for criminal investigative
28 purposes. The fingerprint card shall be expunged only under the
29 provisions of section 9122 (relating to expungement) or by court
30 order.

1 Section 3. This act shall take effect in 60 days.