

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 57

Session of
2007

INTRODUCED BY ERICKSON, BOSCOLA, FONTANA, WASHINGTON, GREENLEAF,
KITCHEN, COSTA, WONDERLING, CORMAN, MADIGAN, D. WHITE,
O'PAKE, WOZNIAK, LOGAN, TOMLINSON AND BROWNE,
FEBRUARY 8, 2007

REFERRED TO JUDICIARY, FEBRUARY 8, 2007

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 23 (Domestic
2 Relations) of the Pennsylvania Consolidated Statutes, further
3 providing for general regulations relating to dissemination
4 of criminal history record information and for information
5 relating to prospective child-care personnel.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 9121(b) of Title 18 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 9121. General regulations.

11 * * *

12 (b) Dissemination to noncriminal justice agencies and
13 individuals.--Criminal history record information shall be
14 disseminated by a State or local police department to any
15 individual or noncriminal justice agency only upon request.

16 Except as provided in subsection (b.1):

17 (1) A fee may be charged by a State or local police
18 department for each request for criminal history record

1 information by an individual or noncriminal justice agency,
2 except that no fee shall be charged to an individual who
3 makes the request in order to apply to become a volunteer and
4 serve without compensation with an affiliate of Little League
5 Baseball, Inc., Big Brothers of America or Big Sisters of
6 America or with a rape crisis center or domestic violence
7 program.

8 (2) Before a State or local police department
9 disseminates criminal history record information to an
10 individual or noncriminal justice agency, it shall extract
11 from the record all notations of arrests, indictments or
12 other information relating to the initiation of criminal
13 proceedings where:

- 14 (i) three years have elapsed from the date of
15 arrest;
- 16 (ii) no conviction has occurred; and
- 17 (iii) no proceedings are pending seeking a
18 conviction.

19 * * *

20 Section 2. Section 6344(h) of Title 23 is amended to read:

21 § 6344. Information relating to prospective child-care
22 personnel.

23 * * *

24 (h) Fees.--The department may charge a fee not to exceed \$10
25 in order to conduct the certification as required in subsection
26 (b)(2), except that no fee shall be charged to an individual who
27 makes the request in order to apply to become a volunteer and
28 serve without compensation with an affiliate of Little League
29 Baseball, Inc., Big Brothers of America or Big Sisters of
30 America or with a rape crisis center or domestic violence

1 shelter.

2 * * *

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