

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1053 Session of 2013

INTRODUCED BY GRELL, BAKER, MILLARD, C. HARRIS, SABATINA, COHEN, M. K. KELLER, R. MILLER, GINGRICH, MULLERY, EVERETT, SWANGER, CALTAGIRONE AND ENGLISH, MARCH 25, 2013

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, NOVEMBER 13, 2013

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in judicial boards and
3 commissions, authorizing the Pennsylvania Board of Law
4 Examiners to obtain criminal history record checks.

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

7 Section 1. Chapter 21 of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER G

10 PENNSYLVANIA BOARD OF LAW EXAMINERS

11 Sec.

12 2161. Criminal history record checks.

13 § 2161. Criminal history record checks.

14 (a) Authorization.--The Pennsylvania Board of Law Examiners
15 may require that persons applying for admission to the bar and
16 the practice of law in this Commonwealth submit BE SUBJECT TO: <--

17 (1) A Federal criminal history record check through the
18 Federal Bureau of Investigation.

1           (2) A State criminal history record check through the  
2           Pennsylvania State Police.

3           (b) Fingerprints required.--If an applicant ALL APPLICANTS <--  
4           as required under subsection (a) submits SHALL SUBMIT <--  
5           fingerprints to the Pennsylvania State Police for the purpose of  
6           obtaining criminal history record checks, AND the Pennsylvania <--  
7           State Police, or its authorized agent, shall submit the  
8           fingerprints to the Federal Bureau of Investigation for the  
9           purpose of verifying the identity of the applicant and obtaining  
10           a current record of any criminal arrests and convictions.

11           (c) Use of information.--Any information relating to an  
12           applicant and obtained under this section by the Pennsylvania  
13           Board of Law Examiners may be interpreted and used by the  
14           Pennsylvania Board of Law Examiners ONLY to determine the <--  
15           applicant's character, fitness and suitability for admission to  
16           the bar and the practice of law in this Commonwealth.

17           (d) Inapplicability.--The provisions of 18 Pa.C.S. § 9121(b)  
18           (2) (relating to general regulations) shall not apply if a  
19           request for a criminal history record check is submitted  
20           pursuant to this section.

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