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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 563 Session of  
2015

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INTRODUCED BY CALTAGIRONE, GAINNEY, COHEN, STURLA, THOMAS,  
W. KELLER, BARBIN, ROZZI, C. PARKER, BROWNLEE AND GIBBONS,  
FEBRUARY 23, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 23, 2015

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in criminal history record  
3 information, further providing for use of records for  
4 employment.

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

7 Section 1. Section 9125(b) of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 9125. Use of records for employment.

10 \* \* \*

11 (b) Use of information.--

12 (1) Felony and misdemeanor convictions may be considered  
13 by the employer only to the extent to which they relate to  
14 the applicant's suitability for employment in the position  
15 for which he has applied.

16 (2) Notwithstanding the provisions of paragraph (1), an  
17 employer may not request from or consider any criminal  
18 history background information relating to an applicant for

1 employment, regardless of the grading of the offense, which  
2 has been expunged according to law. No employer may refuse to  
3 hire an applicant for employment or take any discipline or  
4 adverse action against an employee solely on the basis that  
5 the applicant or employee represented to the employer that  
6 the applicant or employee was not convicted of an offense if,  
7 at the time of the representation, the criminal history  
8 record information relating to the offense has been expunged  
9 according to law.

10 \* \* \*

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