
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **938** Session of
2017

INTRODUCED BY SABATINA, VULAKOVICH, SCARNATI, MARTIN, RAFFERTY,
RESCHENTHALER AND COSTA, NOVEMBER 29, 2017

REFERRED TO HEALTH AND HUMAN SERVICES, NOVEMBER 29, 2017

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in child protective services, further
3 providing for disposition and expunction of unfounded reports
4 and general protective services reports.

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

7 Section 1. Section 6337(d) and (f) of Title 23 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 6337. Disposition and expunction of unfounded reports and
10 general protective services reports.

11 * * *

12 (d) Expunction of valid general protective services
13 reports.--Information concerning valid general protective
14 services reports shall be maintained in the Statewide database
15 as follows:

16 (1) Reports that are assessed by the county agency and
17 are determined to be valid, but are not accepted for
18 services, shall be reported to the department and entered
19 into the Statewide database. The reports shall be maintained

1 for a period of [five] 10 years[.] or until the child who is
2 the subject of the report attains 23 years of age, whichever
3 occurs first. Following the expiration of [five] 10 years
4 after the date the report was received by the department or
5 until the child who is the subject of the report attains 23
6 years of age, whichever occurs first, the report shall be
7 expunged from the Statewide database as soon as possible, but
8 no later than 120 days after the [five-year] 10-year period
9 following the date the report was received by the
10 department[.] or 120 days after the child who is the subject
11 of the report attains 23 years of age, whichever occurs
12 first.

13 (2) Reports that are assessed by the county agency and
14 accepted for services shall be reported to the department and
15 entered into the Statewide database. The reports shall be
16 maintained for a period of [five] 10 years after the closure
17 of services by the county agency[.] or until the child who is
18 the subject of the report attains 23 years of age, whichever
19 occurs first. Following the expiration of [five] 10 years
20 after the closure of services by the county agency or until
21 the child who is the subject of the report attains 23 years
22 of age, whichever occurs first, the report shall be expunged
23 from the Statewide database as soon as possible, but no later
24 than 120 days after the [five-year] 10-year period following
25 the closure of services by the county agency[.] or 120 days
26 after the child who is the subject of the report attains 23
27 years of age, whichever occurs first.

28 (3) The expunction of information on general protective
29 services under this subsection shall be mandated and
30 guaranteed by the department.

1 * * *

2 (f) County agency records.--Information concerning
3 protective services reports shall be maintained by a county
4 agency as follows:

5 (1) County agency records of protective services shall
6 be used and maintained in a manner that is consistent with
7 the use and maintenance of information in the Statewide
8 database, as provided under this chapter. If required under
9 this chapter to amend or expunge information in the Statewide
10 database, the department shall notify the appropriate county
11 agency of the amendment or expungement within ten days. The
12 county agency shall amend or expunge its records in a
13 commensurate manner within ten days of receiving notification
14 from the department.

15 (2) A county agency may maintain information regarding
16 protective services reports that have been expunged in the
17 Statewide database on the county agency's database solely for
18 internal access by the county agency. No other entity may
19 have access to the information.

20 Section 2. This act shall take effect immediately.