

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 133 Session of 2019

INTRODUCED BY RAPP, SANKEY, READSHAW, PICKETT, RYAN AND HILL-
EVANS, JANUARY 28, 2019

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 28, 2019

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in miscellaneous provisions, further
3 providing for prohibition on certain service.

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

6 Section 1. Section 7713 of Title 35 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 7713. Prohibition on certain service.

9 A person convicted of violating 18 Pa.C.S. § 3301 (relating
10 to arson and related offenses), an offense classified as a Tier
11 I, II or III sexual offense under 42 Pa.C.S. § 9799.14 (relating
12 to sexual offenses and tier system) or any similar offense under
13 Federal or State law shall be prohibited from serving as a
14 firefighter in this Commonwealth and shall be prohibited from
15 being certified as a firefighter under Subchapter F of Chapter
16 73 (relating to State Fire Commissioner). Proof of nonconviction
17 must consist of either of the following:

18 (1) An official criminal history record check obtained

1 under 18 Pa.C.S. Ch. 91 (relating to criminal history record
2 information) indicating no arson convictions.

3 (2) A dated and signed statement by the person swearing
4 to the following:

5 I have never been convicted of an offense that
6 constitutes the crime of "arson and related offenses"
7 under 18 Pa.C.S. § 3301, an offense classified as a
8 Tier I, II or III sexual offense under 42 Pa.C.S. §
9 9799.14 or any similar offense under any Federal or
10 State law. I hereby certify that the statements
11 contained herein are true and correct to the best of
12 my knowledge and belief. I understand that if I
13 knowingly make any false statement herein, I am
14 subject to penalties prescribed by law, including,
15 but not limited to, a fine of at least \$1,000.

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