
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1540 Session of
2019

INTRODUCED BY HARRIS, JUNE 3, 2019

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 3, 2019

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in criminal history record
3 information, further providing for petition for limited
4 access and for clean slate limited access.

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

7 Section 1. Sections 9122.1(a) and 9122.2(a)(1) and (3) of
8 Title 18 of the Pennsylvania Consolidated Statutes, amended or
9 added June 28, 2018 (P.L.402, No.56), are amended to read:

10 § 9122.1. Petition for limited access.

11 (a) General rule.--Subject to the exceptions in subsection

12 (b) and notwithstanding any other provision of this chapter,

13 upon petition of a person who has been free from conviction for

14 a period of 10 years for an offense punishable by one or more

15 years in prison and has completed [each court-ordered financial

16 obligation of the sentence] payment of all court-ordered

17 restitution, the court of common pleas in the jurisdiction where

18 a conviction occurred may enter an order that criminal history

19 record information maintained by a criminal justice agency

1 pertaining to a qualifying misdemeanor or an ungraded offense
2 which carries a maximum penalty of no more than five years be
3 disseminated only to a criminal justice agency or as provided in
4 section 9121(b.1) and (b.2) (relating to general regulations).

5 * * *

6 § 9122.2. Clean slate limited access.

7 (a) General rule.--The following shall be subject to limited
8 access:

9 (1) Subject to the exceptions under section 9122.3
10 (relating to exceptions) or if a court has vacated an order
11 for limited access under section 9122.4 (relating to order to
12 vacate order for limited access), criminal history record
13 information pertaining to a conviction of a misdemeanor of
14 the second degree, a misdemeanor of the third degree or a
15 misdemeanor offense punishable by imprisonment of no more
16 than two years if a person has been free for 10 years from
17 conviction for any offense punishable by imprisonment of one
18 or more years and if [completion of each court-ordered
19 financial obligation of the sentence] payment of all court-
20 ordered restitution has occurred.

21 * * *

22 (3) Criminal history record information pertaining to a
23 conviction for a summary offense when 10 years have elapsed
24 since entry of the judgment of conviction and [completion of
25 all court-ordered financial obligations of the sentence]
26 payment of all court-ordered restitution has occurred.

27 * * *

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