
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1992 Session of
2021

INTRODUCED BY COX, HILL-EVANS, JAMES, KEEFER, ROTHMAN AND ROWE,
JUNE 11, 2021

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 11, 2021

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 by
4 licensing agencies; and making related repeals.

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

7 Section 1. Section 9124(b) and (c) of Title 18 of the
8 Pennsylvania Consolidated Statutes, amended July 1, 2020
9 (P.L.575, No.53), are amended to read:

10 § 9124. Use of records by licensing agencies.

11 * * *

12 (b) Prohibited use of information.--The following
13 information shall not be used in consideration of an application
14 for a license, certificate, registration or permit:

15 (1) Records of arrest if there is no conviction of a
16 crime based on the arrest.

17 (2) Convictions which have been annulled, expunged or
18 [subject to] made subject to an order of limited access under
19 sections 9122.1 (relating to petition for limited access) and

1 9122.2 (relating to clean slate limited access).

2 (3) Convictions of a summary offense.

3 (4) Convictions for which the individual has received a
4 pardon from the Governor.

5 (5) Convictions which do not relate to the applicant's
6 suitability for the license, certificate, registration or
7 permit.

8 (c) State action authorized.--Boards, commissions or
9 departments of the Commonwealth authorized to license, certify,
10 register or permit the practice of trades, occupations or
11 professions may refuse to grant or renew, or may suspend or
12 revoke any license, certificate, registration or permit for the
13 following causes:

14 (1) Where the applicant has been convicted of a felony
15 which relates to the trade, occupation or profession for
16 which the license, certificate, registration or permit is
17 sought.

18 (2) Where the applicant has been convicted of a
19 misdemeanor which relates to the trade, occupation or
20 profession for which the license, certificate, registration
21 or permit is sought.

22 * * *

23 Section 2. The amendment of 18 Pa.C.S. § 9124(b) and (c)
24 shall apply to an individual whose license, certificate,
25 registration or permit was suspended or revoked on or after the
26 effective date of this section.

27 Section 3. Repeals are as follows:

28 (1) The General Assembly declares that the repeals under
29 paragraph (2) are necessary to effectuate the amendment of 18
30 Pa.C.S. § 9124(b) and (c).

1 (2) The following acts and parts of acts are repealed
2 insofar as they are inconsistent with this act:

3 (i) Section 3(c) of the act of May 1, 1933 (P.L.216,
4 No.76), known as The Dental Law.

5 (ii) Section 6(c) of the act of May 22, 1951
6 (P.L.317, No.69), known as The Professional Nursing Law.

7 (iii) Section 5 of the act of March 2, 1956 (1955
8 P.L.1211, No.376), known as the Practical Nurse Law.

9 (iv) Section 3(a)(6) of the act of September 27,
10 1961 (P.L.1700, No.699), known as the Pharmacy Act.

11 (v) Section 6(a)(5) of the act of March 23, 1972
12 (P.L.136, No.52), known as the Professional Psychologists
13 Practice Act.

14 (vi) Section 9(b)(4) of the act of December 27, 1974
15 (P.L.995, No.326), known as the Veterinary Medicine
16 Practice Act.

17 (vii) Section 6 of the act of October 10, 1975
18 (P.L.383, No.110), known as the Physical Therapy Practice
19 Act.

20 (viii) Section 6 of the act of October 5, 1978
21 (P.L.1109, No.261), known as the Osteopathic Medical
22 Practice Act.

23 (ix) Section 4(d) of the act of June 6, 1980
24 (P.L.197, No.57), known as the Optometric Practice and
25 Licensure Act.

26 (x) Section 22(b) of the act of December 20, 1985
27 (P.L.457, No.112), known as the Medical Practice Act of
28 1985.

29 (xi) Section 501(a)(7) of the act of December 16,
30 1986 (P.L.1646, No.188), known as the Chiropractic

1 Practice Act.

2 (xii) Section 7(a), (b), (d), (e) and (f) of the act
3 of July 9, 1987 (P.L.220, No.39), known as the Social
4 Workers, Marriage and Family Therapists and Professional
5 Counselors Act.

6 (xiii) Section 502(c)(1) of the act of October 9,
7 2008 (P.L.1363, No.100), known as the Crane Operator
8 Licensure Act.

9 (xiv) Section 5(a)(6) of the act of October 9, 2008
10 (P.L.1438, No.118), known as the Massage Therapy Law.

11 (xv) All other acts or parts of acts insofar as they
12 are inconsistent with this act.

13 Section 4. This act shall take effect in 60 days.