
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 166 Session of
2015

INTRODUCED BY GREENLEAF, STACK, BREWSTER, KITCHEN, FONTANA,
BAKER, BOSCOLA, WILEY, COSTA, TARTAGLIONE, HUGHES, VOGEL,
LEACH, WHITE AND RAFFERTY, JANUARY 15, 2015

REFERRED TO JUDICIARY, JANUARY 15, 2015

AN ACT

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

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

7 Section 1. Section 9122(b) of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended by adding a paragraph to read:
9 § 9122. Expungement.

10 * * *

11 (b) Generally.--Criminal history record information may be
12 expunged when:

13 * * *

14 (4) (i) An individual who is the subject of the
15 information petitions for expungement of the information
16 and the individual has been free of arrest or prosecution
17 following final release from confinement or supervision
18 for the following time periods:

1 (A) In the case of a misdemeanor of the third
2 degree or an offense declared to be a misdemeanor,
3 without specification of degree, seven years.

4 (B) In the case of a misdemeanor of the second
5 degree committed when the individual was less than 25
6 years of age, ten years.

7 (ii) This paragraph shall not apply to any
8 individual who has been convicted of:

9 (A) An offense punishable by imprisonment of
10 more than two years.

11 (B) Four or more offenses punishable by
12 imprisonment of one or more years.

13 (C) An offense under section 913 (relating to
14 possession of firearm or other dangerous weapon in
15 court facility) which is graded as a misdemeanor of
16 the third degree.

17 (D) A violation of section 2701 (relating to
18 simple assault), except when the offense is graded as
19 a misdemeanor of the third degree.

20 (E) A violation of section 3129 (relating to
21 sexual intercourse with animal).

22 (F) A violation of section 4912 (relating to
23 impersonating a public servant).

24 (G) A violation of section 4952 (relating to
25 intimidation of witnesses or victims).

26 (H) A violation of section 4953 (relating to
27 retaliation against witness, victim or party).

28 (I) A violation of section 5511 (relating to
29 cruelty to animals).

30 (J) A violation of any provision of Chapter 61

1 (relating to firearms and other dangerous articles).

2 (K) An offense which requires registration under
3 42 Pa.C.S. Ch. 97 Subch. H (relating to registration
4 of sexual offenders).

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