

No. 2002-129

AN ACT

SB 612

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the dissemination of criminal history record information to noncriminal justice agencies and individuals.

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

Section 1. Section 9121(b) of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

§ 9121. General regulations.

* * *

(b) Dissemination to noncriminal justice agencies and individuals.—Criminal history record information shall be disseminated by a State or local police department to any individual or noncriminal justice agency only upon request. Except as provided in subsection (b.1):

(1) A fee may be charged by a State or local police department for each request for criminal history record information by an individual or noncriminal justice agency, except that no fee shall be charged to an individual who makes the request in order to apply to become a volunteer with an affiliate of Big Brothers of America or Big Sisters of America *or with a rape crisis center or domestic violence program.*

(2) Before a State or local police department disseminates criminal history record information to an individual or noncriminal justice agency, it shall extract from the record all notations of arrests, indictments or other information relating to the initiation of criminal proceedings where:

- (i) three years have elapsed from the date of arrest;
- (ii) no conviction has occurred; and
- (iii) no proceedings are pending seeking a conviction.

* * *

Section 2. This act shall take effect immediately.

APPROVED—The 28th day of October, A.D. 2002.

MARK S. SCHWEIKER