
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2068 Session of
2015

INTRODUCED BY GAINNEY, V. BROWN, KINSEY, SCHLOSSBERG, BRIGGS,
HELM, LONGIETTI, ACOSTA, McNEILL, THOMAS AND SAVAGE,
MAY 11, 2016

REFERRED TO COMMITTEE ON JUDICIARY, MAY 11, 2016

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.

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

6 Section 1. Section 9122(b) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph and the
8 section is amended by adding a subsection to read:

9 § 9122. Expungement.

10 * * *

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

13 * * *

14 (4) An individual who is the subject of the information
15 petitions the court for expungment of a nonviolent offense,
16 including a nonviolent offense under the act of April 14,
17 1972 (P.L.233, No.64), known as The Controlled Substance,
18 Drug, Device and Cosmetic Act, if the individual:

1 (i) Has petitioned for expungement after a period of
2 10 years following final release from confinement or
3 supervision for the nonviolent offense.

4 (ii) Has not been convicted of a summary offense,
5 misdemeanor or felony for at least 10 years following
6 final release from confinement or supervision for the
7 nonviolent offense.

8 (iii) Has maintained on a consistent basis all
9 appropriate educational, employment, treatment and
10 housing needs that have provided for the successful
11 transition and reintegration of the individual into the
12 community, as verified by the Pennsylvania Board of
13 Probation and Parole.

14 (iv) Has paid or agreed to a payment plan acceptable
15 to the court regarding costs, fines, fees and restitution
16 that resulted from the nonviolent offense.

17 * * *

18 (g) Definition.--As used in this section, the term
19 "nonviolent offense" means an offense that is not a crime of
20 violence under 42 Pa.C.S. § 9714(g) (relating to sentences for
21 second and subsequent offenses).

22 Section 2. This act shall apply to a nonviolent offense
23 committed after the effective date of this act.

24 Section 3. This act shall take effect in 60 days.