
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 944 Session of
2023

INTRODUCED BY BARTOLOTTA, STREET, SAVAL, HAYWOOD, COLLETT, KANE,
CAPPELLETTI, COSTA, KEARNEY, SCHWANK AND HUGHES,
SEPTEMBER 28, 2023

REFERRED TO JUDICIARY, SEPTEMBER 28, 2023

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(a)(3) and (4)(iv) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended and the
8 subsection is amended by adding a paragraph to read:

9 § 9122. Expungement.

10 (a) Specific proceedings.--Criminal history record
11 information shall be expunged in a specific criminal proceeding
12 when:

13 * * *

14 (3) a person 21 years of age or older who has been
15 convicted of a violation of section 6308 (relating to
16 purchase, consumption, possession or transportation of liquor
17 or malt or brewed beverages), which occurred on or after the
18 day the person attained 18 years of age, petitions the court

1 of common pleas in the county where the conviction occurred
2 seeking expungement and the person has satisfied all terms
3 and conditions of the sentence imposed for the violation,
4 including any suspension of operating privileges imposed
5 pursuant to section 6310.4 (relating to restriction of
6 operating privileges). Upon review of the petition, the court
7 shall order the expungement of all criminal history record
8 information and all administrative records of the Department
9 of Transportation relating to said conviction; [or]

10 (4) a judicial determination has been made that a person
11 is acquitted of an offense, if the person has been acquitted
12 of all charges based on the same conduct or arising from the
13 same criminal episode following a trial and a verdict of not
14 guilty. This paragraph shall not apply to a partial
15 acquittal. A judicial determination under this paragraph may
16 only be made after the following:

17 * * *

18 (iv) Following the hearing, or if no objection has
19 been filed or the hearing has been waived, the court
20 shall order that the person's criminal history record
21 information be automatically expunged unless the court
22 determines the expungement relates to the same conduct,
23 arises from the same criminal episode or otherwise
24 relates to a partial acquittal. Expungement shall occur
25 no later than 12 months from the date of acquittal[.]; or

26 (5) the conviction has been unconditionally pardoned by
27 the Governor. Expungement shall occur automatically upon
28 notification of the pardon from the Governor's Office
29 provided to the court of common pleas in the county where the
30 conviction occurred or upon praecipe to said court attaching

1 only a copy of the pardon. Upon receipt of the notification,
2 the court shall order the expungement of all criminal history
3 record information and all administrative records of the
4 Department of Transportation and the central repository
5 relating to the conviction.

6 * * *

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