
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 659 Session of
2017

INTRODUCED BY CRUZ, YOUNGBLOOD, KINSEY, DONATUCCI, J. HARRIS,
MURT, DEAN, V. BROWN, FITZGERALD, SCHLOSSBERG, BULLOCK,
MILLARD, FREEMAN, HILL-EVANS, NEILSON, SIMS, MOUL AND THOMAS,
FEBRUARY 28, 2017

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 28, 2017

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 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:

8 § 9122. Expungement.

9 * * *

10 (c.1) Mistaken identity.--The following shall apply to
11 individuals who are the subject of the information and have been
12 arrested as a result of mistaken identity and no charges have
13 been filed against the individual:

14 (1) Not later than 90 days after an investigation by a
15 law enforcement agency finds that an individual was arrested
16 as a result of mistaken identity and no charges have been
17 filed, the law enforcement agency whose officers made the

1 arrest shall petition the court for the expungement of the
2 individual's criminal history record information made as a
3 result of mistaken identity, at no cost to the individual.

4 (2) Not later than 90 days after receiving and reviewing
5 the petition under paragraph (1), the court shall order the
6 expungement of all criminal history record information and
7 all administrative records of the law enforcement agency
8 relating to the individual's arrest as a result of mistaken
9 identity.

10 * * *

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