



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 170

PRINTER'S NO. 160

PRIME SPONSOR: Baker

COST / (SAVINGS)

FUND	FY 2024/25	FY 2025/26
General Fund	\$0	\$0

SUMMARY:

Reforms and automates the expungement process for juvenile records.

ANALYSIS:

Senate Bill 170 Printer's Number 160 amends Chapter 18 Section 9123 to reduce the necessary period from five years to two years for when a court can grant an expungement when an individual committed a misdemeanor other than a misdemeanor under Title 61 (relating to firearms and other dangerous articles) or certain types of indecent assault.

The legislation further amends Title 42 Section 6304 to require chief junior probation officers of their designee to promptly notify the court that records of juvenile delinquency cases are eligible for expungement and shall request the court to initiate expungement proceedings for eligible records. The following cases would be eligible for expungement:

- A written allegation is not approved for prosecution
- A petition that is dismissed
- Six months have elapsed since the successful completion of an informal adjustment
- Six months have elapsed since the final discharge of a child from supervision under a consent decree.
- Two years have elapsed since the person was discharged from commitment, placement, probation or any other disposition, and the court determines the person committed an offense classified as a misdemeanor other than a misdemeanor under Title 61, or certain types of indecent assault
- Five years have elapsed since the person was discharged from commitment, placement, probation or any other disposition, and the court determines the person committed an offense classified as a felony, a misdemeanor under Title 61, or certain types of indecent assault.

In all cases, to be eligible for expungement would require that the individual has not been subsequently convicted of a felony, misdemeanor, or adjudicated delinquent and no proceeding pending seeking the conviction or adjudication.

Finally, the legislation amends Title 42 section 6373 to require the Juvenile Court Judges' Commission to develop and implement the technology and case management tools necessary to alert chief juvenile probation officers that the records of a juvenile delinquency case are eligible for expungement and to facilitate the notification of courts to initiate the process of expunging juvenile delinquency records.

This legislation would take effect in 180 days upon enactment.

FISCAL IMPACT:

According to Administrative Office of Pennsylvania Courts (AOPC), enactment of this legislation will have no fiscal impact on commonwealth funds.

According to Juvenile Court Judges' Commission, the technology and case management tools necessary to alert chief probation officers are already in place and no additional funds will be necessary to implement the requirements of the legislation.

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House Appropriations Committee (D)

DATE: October 8, 2024

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.