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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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PENNSYLVANIA COMMISSION ON CRIME &
DELINQUENCY (PCCD), *COMMISSIONER*

House Judiciary Committee Voting Meeting
523 Irvis Office Building
Harrisburg, PA 17120
October 7, 2026
Call of the Chair

Agenda

Senate Bill 1212 (Pennycuik) An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for definitions.

House Bill 2840 (Briggs) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, further providing for the offense of theft by extortion; and, in criminal history record information, providing for request and removal of the dissemination of booking photographs.

And any other business that comes before the Committee.

Adjournment

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	SB1212 PN1499	Prepared By:	David Vitale, Esq. (717) 705-7011
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Pennycuick, Tracy		
Date:	6/29/2026		

A. Brief Concept

Amends the Sexual Assault Testing and Evidence Collection Act to standardize the submission process for all kits obtained by law enforcement.

C. Analysis of the Bill

Amends Pennsylvania's Sexual Assault Testing and Evidence Collection Act by revising the definition of "awaiting testing" to encompass all sexual assault evidence that has been collected but has not yet received DNA or other appropriate forensic analyses. This change provides a more accurate accounting of untested sexual assault evidence and promotes greater transparency within the Commonwealth's sexual assault kit tracking and reporting systems.

Effective Date:

Immediately.

G. Relevant Existing Laws

"Awaiting testing." With respect to sexual assault evidence, evidence that meets all of the following:

- (1) Has been collected and is in the possession of a local law enforcement agency.
- (2) Has not received DNA and other appropriate forensic analyses.
- (3) Is related to a criminal case or investigation in which final disposition has not been reached.
- (4) Should undergo DNA or other appropriate forensic analysis as determined by a local law enforcement agency.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1212 Session of
2026

INTRODUCED BY PENNYCUICK, BROWN, LANGERHOLC, BARTOLOTTA,
HAYWOOD, J. WARD, VOGEL, KIM, STEFANO AND PICOZZI,
MARCH 12, 2026

REFERRED TO JUDICIARY, MARCH 12, 2026

AN ACT

1 Amending the act of November 29, 2006 (P.L.1471, No.165),
2 entitled "An act providing for a sexual assault evidence
3 collection program and for powers and duties of the
4 Department of Health and the Pennsylvania State Police;
5 establishing civil immunity; and providing for rights of
6 sexual assault victims," further providing for definitions.

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

9 Section 1. The definition of "awaiting testing" in section 2
10 of the act of November 29, 2006 (P.L.1471, No.165), known as the
11 Sexual Assault Testing and Evidence Collection Act, is amended
12 to read:

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall
15 have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 "Awaiting testing." [With respect to sexual assault
18 evidence,] Sexual assault evidence that [meets all of the
19 following:

1 (1) Has been collected and is in the possession of a
2 local law enforcement agency.

3 (2) Has not received DNA and other appropriate forensic
4 analyses.

5 (3) Is related to a criminal case or investigation in
6 which final disposition has not been reached.

7 (4) Should undergo DNA or other appropriate forensic
8 analysis as determined by a local law enforcement agency.]

9 has been collected and has not received DNA and other
10 appropriate forensic analyses.

11 * * *

12 Section 2. This act shall take effect immediately.

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No: HB2840 PN4007
Committee: Judiciary
Sponsor: Briggs, Tim
Date: 10/6/2026

Prepared By: Michelle Batt, Esq.
(717) 705-7011,6791
Executive Director: David Vitale, Esq.

A. Brief Concept

Prohibits soliciting or accepting payment to remove or refrain from disseminating booking photographs and establishes a procedure for individuals who's criminal history information is no longer publicly available to request a noncriminal justice agency to remove and destroy their booking photographs.

C. Analysis of the Bill

Amends Title 18 Section 3923 (Theft by extortion) to prohibit soliciting or accepting payment to remove or refrain from publishing or disseminating booking photographs.

Further Amends Title 18 by adding Section 9126 (Request and removal of the dissemination of booking photographs) to establish a procedure under the Criminal History Record Information Act whereby an individual who's criminal history information is no longer publicly available can request a noncriminal justice agency to remove and destroy their booking photographs. A noncriminal justice agency has seven calendar days after receipt of a request to remove and destroy the individual's booking photograph.

Failure to remove and destroy the booking photograph within seven calendar days will result in a civil penalty of \$100 per day, in addition to any other relief provided for under section 9183 (relating to civil actions).

"Booking photograph." A photograph or image of an individual generated by law enforcement for identification purposes in accordance with 61 Pa.C.S. § 1103.

Effective Date:

60 Days.

G. Relevant Existing Laws

Title 18, § 3923, theft by extortion, provides:

(a) Offense defined.--A person is guilty of theft if he intentionally obtains or withholds property of another by threatening to:

- (1) commit another criminal offense;
- (2) accuse anyone of a criminal offense;
- (3) expose any secret tending to subject any person to hatred, contempt or ridicule;
- (4) take or withhold action as an official, or cause an official to take or withhold action;
- (5) bring about or continue a strike, boycott or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act;
- (6) testify or provide information or withhold testimony or information with respect to the legal claim or defense of another; or
- (7) inflict any other harm which would not benefit the actor.

(b) Defenses.--It is a defense to prosecution based on paragraphs (a)(2), (a)(3) or (a)(4) of this section that the property obtained by threat of accusation, exposure, lawsuit or other invocation of official action was honestly claimed as restitution or indemnification for harm done in the circumstances to which such accusation, exposure, lawsuit or other official action relates, or as compensation for property or lawful services.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

Previously, House Bill 1585 passed unanimously out of the House Judiciary Committee as amended on June 8, 2026.

The bill passed unanimously out of the House on June 23, 2026.

House Bill 1736 of 2021-22 session passed the House on November 8, 2021, by a vote of 194-6.

Passed out of the House Judiciary Committee on September 28, 2021, by a vote of 23-2.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2840 Session of
2026

INTRODUCED BY BRIGGS, MAYES, HILL-EVANS, WEBSTER, SANCHEZ,
MCNEILL AND KINKEAD, OCTOBER 6, 2026

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 6, 2026

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in theft and related offenses, further
3 providing for the offense of theft by extortion; and, in
4 criminal history record information, providing for request
5 and removal of the dissemination of booking photographs.

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

8 Section 1. Section 3923 of Title 18 of the Pennsylvania
9 Consolidated Statutes is amended by adding subsections to read:

10 § 3923. Theft by extortion.

11 * * *

12 (a.1) Prohibition on consideration for the destruction and
13 removal of booking photographs.--A person that is engaged in
14 publishing or otherwise disseminating a booking photograph
15 commits an offense if the person solicits or accepts the payment
16 of a fee or other consideration to remove and destroy or refrain
17 from publishing or otherwise disseminating the booking
18 photograph. Each payment or other consideration solicited or
19 accepted in violation of this subsection constitutes a separate

1 violation.

2 * * *

3 (c) Definition.--As used in this section, the term "booking
4 photograph" means a photograph or image of an individual
5 generated by law enforcement for identification purposes in
6 accordance with 61 Pa.C.S. § 1103 (relating to recording system
7 for identification of criminal offenders).

8 Section 2. Title 18 is amended by adding a section to read:
9 § 9126. Request and removal of the dissemination of booking
10 photographs.

11 (a) Requirements.--A noncriminal justice agency that is
12 engaged in publishing or otherwise disseminating a booking
13 photograph shall:

14 (1) Clearly and conspicuously post on the noncriminal
15 justice agency's publicly accessible Internet website an
16 active and monitored email address, telephone number and
17 mailing address by which an individual may request the
18 removal and destruction of the individual's booking
19 photograph.

20 (2) Remove and destroy an individual's booking
21 photograph within seven calendar days of receiving a request
22 for removal and destruction from the individual if:

23 (i) The booking photograph relates to criminal
24 charges that:

25 (A) resulted in a final disposition other than a
26 conviction;

27 (B) are subject to a court order for limited
28 access as provided in section 9122.1 (relating to
29 petition for limited access);

30 (C) were granted clean slate limited access

1 under section 9122.2 (relating to clean slate limited
2 access); or

3 (D) were expunged or vacated pursuant to a court
4 order or were pardoned through executive action.

5 (ii) The individual requesting removal and
6 destruction submits reasonable documentation supporting
7 eligibility under this paragraph.

8 (b) Sanction.--In addition to any relief provided under
9 section 9183 (relating to civil actions), a noncriminal justice
10 agency that fails to comply with subsection (a)(2) shall be
11 liable for a civil penalty of \$100 per day for each day
12 following the expiration of the seven-calendar-day period during
13 which the booking photograph remains published or otherwise
14 disseminated.

15 (c) Definition.--As used in this section, the term "booking
16 photograph" means a photograph or image of an individual
17 generated by law enforcement for identification purposes in
18 accordance with 61 Pa.C.S. § 1103 (relating to recording system
19 for identification of criminal offenders).

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

