

No. 1990-138

AN ACT

HB 727

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, authorizing prosecuting attorneys to seal affidavits setting forth probable cause for the issuance of a search warrant.

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

Section 1. Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 8934. Sealing of affidavits.

Upon a sufficient showing by the attorney for the Commonwealth at an ex parte hearing before a common pleas court judge, the court shall order the district attorney to seal the affidavit or affidavits setting forth probable cause for the issuance of a search warrant until the date of common pleas court arraignment, unless the period is extended by the court for good cause shown. If the case is to be tried in the Philadelphia Municipal Court, the affidavit or affidavits shall be sealed until the time of discovery, unless the period is extended for good cause shown.

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

APPROVED—The 21st day of November, A. D. 1990.

ROBERT P. CASEY