

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1282 Session of
2014

INTRODUCED BY STACK, TEPLITZ, SCHWANK, EICHELBERGER, FONTANA,
SMITH, KASUNIC, COSTA AND SOLOBAY, MARCH 12, 2014

REFERRED TO JUDICIARY, MARCH 12, 2014

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in offenses against public decency,
3 providing for the offense of Internet posting of criminal
4 activity; and imposing a penalty.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 5905. Internet posting of criminal activity.

10 (a) Offense defined.--A person commits an offense under this
11 section if the person posts on a publicly accessible Internet
12 website any photograph, film, videotape or similar recording of
13 the identifiable image of any person engaged in activity that
14 would constitute a "personal injury crime" as defined in section
15 103 of the act of November 24, 1998 (P.L.882, No.111), known as
16 the Crime Victims Act.

17 (b) Applicability.--It shall not be an offense under this
18 section for any of the following to post information prohibited
19 under this section:

1 (1) A law enforcement agency.

2 (2) A bona fide news organization.

3 (c) Grading.--An offense under this section is:

4 (1) Except as set forth in paragraph (2), a misdemeanor
5 of the second degree.

6 (2) A misdemeanor of the first degree when the person
7 depicted is an individual under 18 years of age or an
8 individual 65 years of age or older.

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