
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 142 Session of
2017

INTRODUCED BY MOUL, DEAN, MILLARD, KAUFFMAN, KNOWLES, McNEILL,
D. COSTA, ROEBUCK, BIZZARRO, ZIMMERMAN AND GABLER,
JANUARY 23, 2017

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 23, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in wiretapping and electronic
3 surveillance, further providing for exceptions to prohibition
4 of interception and disclosure of communications.

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

7 Section 1. Section 5704(16)(iii) of Title 18 of the
8 Pennsylvania Consolidated Statutes is amended to read:

9 § 5704. Exceptions to prohibition of interception and
10 disclosure of communications.

11 It shall not be unlawful and no prior court approval shall be
12 required under this chapter for:

13 * * *

14 (16) A law enforcement officer, whether or not certified
15 under section 5724 (relating to training), acting in the
16 performance of his official duties to intercept and record an
17 oral communication between individuals in accordance with the
18 following:

1 * * *

2 (iii) As used in this paragraph, the term "law
3 enforcement officer" means a member of the Pennsylvania
4 State Police, a sheriff or deputy sheriff who holds a
5 current certificate under the act of February 9, 1984
6 (P.L.3, No.2), known as the Sheriff and Deputy Sheriff
7 Education and Training Act, or an individual employed as
8 a police officer who holds a current certificate under 53
9 Pa.C.S. Ch. 21 Subch. D (relating to municipal police
10 education and training).

11 * * *

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