

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1409 Session of  
2002

INTRODUCED BY CORMAN, D. WHITE, ERICKSON, BRIGHTBILL, BELL,  
BOSCOLA, ORIE, HOLL, HUGHES, LAVALLE, LEMMOND, MOWERY, MUSTO,  
O'PAKE, RHOADES, LOGAN, C. WILLIAMS, SCHWARTZ, TARTAGLIONE,  
WAUGH, CONTI AND STACK, APRIL 29, 2002

REFERRED TO COMMUNICATIONS AND HIGH TECHNOLOGY, APRIL 29, 2002

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, requiring Internet service providers  
3 to maintain confidentiality of certain information; and  
4 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 § 7330. Internet service providers to maintain confidentiality  
10 of certain information.

11 (a) Confidential information.--A provider of Internet  
12 service shall keep confidential:

13 (1) All information concerning a subscriber, other than  
14 the electronic mail address of the subscriber, unless the  
15 subscriber gives permission, in writing or by electronic  
16 mail, to the provider of Internet service to disclose the  
17 information.

18 (2) The electronic mail address of a subscriber, if the

1 subscriber requests, in writing or by electronic mail, to  
2 have the electronic mail address of the subscriber kept  
3 confidential. Upon receiving a request from a subscriber, a  
4 provider of Internet service shall keep confidential the  
5 electronic mail address of the subscriber, unless the  
6 subscriber gives permission, in writing or by electronic  
7 mail, to the provider of Internet service to disclose the  
8 electronic mail address of the subscriber.

9 (b) Notice.--A provider of Internet service shall provide  
10 notice of the requirements of subsection (a) to each of its  
11 subscribers. The notice must include, without limitation, a  
12 conspicuous statement that a subscriber may request, in writing  
13 or by electronic mail, to have the electronic mail address of  
14 the subscriber kept confidential.

15 (c) Grading.--A provider of Internet service who violates  
16 this section commits a summary offense and shall, upon  
17 conviction, be sentenced to pay a fine of not less than \$50 nor  
18 more than \$500 for each violation.

19 (d) Definition.--As used in this section, the term "provider  
20 of Internet service" means a provider of Internet service who  
21 charges a subscriber for access to the Internet or the  
22 electronic mail address of the subscriber.

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