

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1415 Session of
2003

INTRODUCED BY FREEMAN, HARPER, PISTELLA, BEBKO-JONES, DeWEESE,
JAMES, LAUGHLIN, LEACH, LESCOVITZ, McILHATTAN, TIGUE,
WASHINGTON AND YOUNGBLOOD, MAY 7, 2003

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 7, 2003

AN ACT

1 Amending the act of June 21, 1957 (P.L.390, No.212), entitled
2 "An act requiring certain records of the Commonwealth and its
3 political subdivisions and of certain authorities and other
4 agencies performing essential governmental functions, to be
5 open for examination and inspection by citizens of the
6 Commonwealth of Pennsylvania; authorizing such citizens under
7 certain conditions to make extracts, copies, photographs or
8 photostats of such records; and providing for appeals to the
9 courts of common pleas," further defining "public record."

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

12 Section 1. The definition of "public record" in section 1 of
13 the act of June 21, 1957 (P.L.390, No.212), referred to as the
14 Right-to-Know Law, amended June 29, 2002 (P.L.663, No.100), is
15 amended to read:

16 Section 1. Definitions.

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

20 * * *

21 "Public record." Any account, voucher or contract dealing

1 with the receipt or disbursement of funds by an agency or its
2 acquisition, use or disposal of services or of supplies,
3 materials, equipment or other property and any minute, order or
4 decision by an agency fixing the personal or property rights,
5 privileges, immunities, duties or obligations of any person or
6 group of persons: Provided, That the term "public records" shall
7 not mean any report, communication or other paper, the
8 publication of which would disclose the institution, progress or
9 result of an investigation undertaken by an agency in the
10 performance of its official duties, except those reports filed
11 by agencies pertaining to safety and health in industrial
12 plants; it shall not include any record, document, material,
13 exhibit, pleading, report, memorandum or other paper, access to
14 or the publication of which is prohibited, restricted or
15 forbidden by statute law or order or decree of court, or which
16 would operate to the prejudice or impairment of a person's
17 reputation or personal security, or which would result in the
18 loss by the Commonwealth or any of its political subdivisions or
19 commissions or State or municipal authorities of Federal funds,
20 excepting therefrom however the record of any conviction for any
21 criminal act[.]; it shall not include a military discharge form
22 used by the Department of Defense and that is filed at a court
23 of common pleas by a veteran upon the veteran's discharge from
24 active duty.

25 * * *

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