
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1555 Session of
2008

INTRODUCED BY PICCOLA, RAFFERTY, ORIE, FOLMER, M. WHITE, O'PAKE,
TOMLINSON, ERICKSON, WAUGH, BRUBAKER, VANCE, BROWNE,
WONDERLING, WOZNIAK, EARLL, BOSCOLA AND STACK,
SEPTEMBER 12, 2008

REFERRED TO JUDICIARY, SEPTEMBER 12, 2008

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for requirements for
3 governmental access.

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

6 Section 1. Section 5743(c)(1) of Title 18 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 § 5743. Requirements for governmental access.

9 * * *

10 (c) Records concerning electronic communication service or
11 remote computing service.--

12 (1) Except as provided in paragraph (2), a provider of
13 electronic communication service or remote computing service
14 may disclose a record or other information pertaining to a
15 subscriber to or customer of the service, not including the
16 contents of communication covered by subsection (a) or (b),
17 to any person other than an investigative or law enforcement

officer[.] as follows:

(i) At the request of a subscriber or customer and pursuant to the provisions of the service agreement with the service provider.

(ii) Upon receipt of a written authorization of the subscriber or customer of the service to release the information to a third party.

(iii) Upon receipt of a court order approved by a court of competent jurisdiction based on a showing that the information is material to the preparation for a proceeding and that the request is reasonable. The subscriber or customer and the service provider shall receive notice from the person requesting the information and shall have standing as parties to any proceeding under this subparagraph.

* * *

Section 2. This act shall take effect immediately.