THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. **260** Session of 2015

INTRODUCED BY BAKER, PICKETT, COHEN, MILLARD, CAUSER, D. COSTA, SCHLOSSBERG, M. K. KELLER, KAUFFMAN, A. HARRIS, MAJOR, MURT, GOODMAN, MARSICO, KORTZ, GINGRICH AND WATSON, FEBRUARY 2, 2015

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 2, 2015

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2   Pennsylvania Consolidated Statutes, in particular rights and
3   immunities, providing for action for release of confidential
4   birth information.

5   The General Assembly of the Commonwealth of Pennsylvania

6 hereby enacts as follows:

7   Section 1. Title 42 of the Pennsylvania Consolidated

8 Statutes is amended by adding a section to read:

9 § 8315.1. Action for release of confidential birth information.

10   (a) General rule.--It shall be unlawful for any person who

11 requests information under the act of February 14, 2008 (P.L.6,

12 No.3), known as the Right-to-Know Law, which contains a date of

13 birth, to publish, republish or disclose in any manner the date

14 of birth.

15   (b) Remedy.--Any individual whose date of birth has been

16 published, republished or disclosed in violation of subsection

17 (a) may bring a civil action in a court of competent

18 jurisdiction and the court may award damages as follows:

1   (1) Actual damages arising from the publication,

2 republication or disclosure or $500, whichever is greater.

3 Damages include loss of money, reputation or property,

4 whether real or personal. The court may, in its discretion,

5 award up to three times the actual damages sustained, but not

6 less than $500.

7   (2) Reasonable attorney fees and court costs.

8   (3) Additional relief the court deems necessary and

9 proper.

10 (c) Exception.--The provisions of this section shall not

11 apply to a date of birth which is obtained independently of a

12 request under the Right-to-Know Law.

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