

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.