

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1460

Session of
1979

INTRODUCED BY MESSRS. J. L. WRIGHT, JR. AND DeWEESE, JUNE 6, 1979

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 28, 1980

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, FURTHER PROVIDING FOR CERTAIN WARNINGS <—
3 AND extending exceptions to prohibition on interception and
4 disclosure of communications to the Pennsylvania Emergency
5 Management Agency.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Paragraph (3) of section 5704 of Title 18, act of
9 November 25, 1970 (P.L.707, No.230), known as the Pennsylvania
10 Consolidated Statutes, is amended to read:

11 § 5704. Exceptions to prohibition on interception and
12 disclosure of communications.

13 It shall not be unlawful under this chapter for:

14 * * *

15 (3) Police and emergency communications systems to
16 record telephone communications coming into and going out of
17 the communications system of a police department, fire
18 department, Pennsylvania Emergency Management Agency or
19 county emergency center, if:

1 (i) the telephones thereof are limited to the
2 exclusive use of the communication system for
3 administrative purposes and provided the communication
4 system employs A VERBAL WARNING AT THE INITIATION OF THE <—
5 CALL AND a periodic warning DURING THE CALL which <—
6 [indicates] INDICATE to the parties to the conversation <—
7 that the call is being recorded;

8 (ii) all recordings made pursuant to this clause,
9 all notes made therefrom, and all transcriptions thereof
10 may be destroyed at any time, unless required with regard
11 to a pending matter; and

12 (iii) at least one nonrecorded telephone line is
13 made available for public use at each police department,
14 fire department, Pennsylvania Emergency Management Agency
15 or county emergency center.

16 * * *

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