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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 918**      Session of  
2007

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INTRODUCED BY BOSCOLA, COSTA, FUMO, TARTAGLIONE, EARLL, STACK,  
RAFFERTY, LOGAN, RHOADES, KASUNIC AND FONTANA, JUNE 11, 2007

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JUNE 11, 2007

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, providing for the offense of unlawful  
3 sale or disclosure of customer proprietary network  
4 information.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 7331. Unlawful sale or disclosure of customer proprietary  
10 network information.

11 (a) Offense defined.--No person may sell or disclose or  
12 offer to sell or disclose any customer proprietary network  
13 information relating to the wireless telephone service account  
14 of any resident of this Commonwealth.

15 (b) Exceptions.--It is not a violation of subsection (a) for  
16 a person to disclose customer proprietary network information:

17 (1) authorized by a law, regulation or rule;

18 (2) authorized by an order of an agency having

1 regulatory authority over a wireless telephone service  
2 provider;

3 (3) authorized by the holder of the wireless telephone  
4 service account; or

5 (4) required by a subpoena, warrant or other lawful  
6 process.

7 (c) Penalty.--Any person who violates subsection (a) commits  
8 a felony of the third degree.

9 (d) Definitions.--As used in this section, the following  
10 words and phrases shall have the meanings given to them in this  
11 subsection:

12 "Customer proprietary network information." As defined in  
13 section 222(h)(1) of the Communications Act of 1934 (48 Stat.  
14 1065, 47 U.S.C. § 222(h)(1)).

15 "Telecommunications carrier." As defined in section 153(44)  
16 of the Communications Act of 1934 (48 Stat. 1065, 47 U.S.C. §  
17 153(44)).

18 "Wireless telephone service." Any form of wireless telephone  
19 service, including cellular telephone service, broadband  
20 personal communications telephone service, covered specialized  
21 mobile radio service and any successors to such services.

22 "Wireless telephone service provider." A telecommunications  
23 carrier that provides wireless telephone service.

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