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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 483 Session of  
2015

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INTRODUCED BY BREWSTER, WOZNIAK, VULAKOVICH, ALLOWAY AND COSTA,  
FEBRUARY 13, 2015

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REFERRED TO JUDICIARY, FEBRUARY 13, 2015

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in wiretapping and electronic  
3 surveillance, further providing for exceptions to prohibition  
4 of interception and disclosure of communications.

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

7 Section 1. Section 5704(16) (i) of Title 18 of the  
8 Pennsylvania Consolidated Statutes is amended to read:

9 § 5704. Exceptions to prohibition of interception and  
10 disclosure of communications.

11 It shall not be unlawful and no prior court approval shall be  
12 required under this chapter for:

13 \* \* \*

14 (16) A law enforcement officer, whether or not certified  
15 under section 5724 (relating to training), acting in the  
16 performance of his official duties to intercept and record an  
17 oral communication between individuals in accordance with the  
18 following:

19 (i) At the time of the interception, the oral

1 communication [does not occur inside the residence of any  
2 of the individuals.] occurs when the law enforcement  
3 officer:

4 (A) enters a residence or other structure based  
5 on a reasonable belief that a criminal offense is  
6 being committed in the residence or other structure;

7 (B) enters a residence or other structure under  
8 exigent circumstances in the pursuit of an offender  
9 based on a reasonable belief that a criminal offense  
10 is being committed; or

11 (C) notifies the occupants of a residence or  
12 other structure of the existence and operation of an  
13 audio-visual device and the occupants consent to the  
14 use of the audio-visual device upon entry by the law  
15 enforcement officer into the residence or other  
16 structure.

17 \* \* \*

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