
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1736 Session of
2021

INTRODUCED BY R. MACKENZIE, BROOKS, CIRESI, HILL-EVANS, NEILSON,
ROTHMAN, RYAN, SAMUELSON, JOZWIAK AND ZIMMERMAN,
JULY 30, 2021

REFERRED TO COMMITTEE ON JUDICIARY, JULY 30, 2021

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in other offenses, providing for
3 prohibition against publishing or disseminating booking
4 photographs for commercial use.

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 § 7518. Prohibition against publishing or disseminating booking
10 photographs for commercial use.

11 (a) Offense defined.--A person is guilty of a misdemeanor of
12 the second degree if the person:

13 (1) is engaged in publishing or otherwise disseminating
14 a booking photograph taken in accordance with 61 Pa.C.S. §
15 1103 (related to recording system for identification of
16 criminal offenders); and

17 (2) solicits or accepts the payment of a fee or other
18 consideration to remove, correct, modify or refrain from

1 publishing or otherwise disseminating the booking photograph.

2 (b) Separate violations.--Each payment or other
3 consideration solicited or accepted in violation of this section
4 constitutes a separate violation.

5 (c) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection unless the context clearly indicates otherwise:

8 "Booking photograph." A photograph or image of an individual
9 generated by law enforcement for identification purposes in
10 accordance with 61 Pa.C.S. § 1103.

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