
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 80 Session of
2023

INTRODUCED BY OWLETT, PICKETT, STAATS, HAMM, FLICK, JAMES,
KAUFFMAN, ROWE, CONKLIN, SMITH AND ZIMMERMAN, MARCH 7, 2023

REFERRED TO COMMITTEE ON GAME AND FISHERIES, MARCH 7, 2023

AN ACT

1 Amending the act of February 14, 2008 (P.L.6, No.3), entitled
2 "An act providing for access to public information, for a
3 designated open-records officer in each Commonwealth agency,
4 local agency, judicial agency and legislative agency, for
5 procedure, for appeal of agency determination, for judicial
6 review and for the Office of Open Records; imposing
7 penalties; providing for reporting by State-related
8 institutions; requiring the posting of certain State contract
9 information on the Internet; and making related repeals," in
10 procedure, further providing for exceptions for public
11 records.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 708(b)(17) of the act of February 14,
15 2008 (P.L.6, No.3), known as the Right-to-Know Law, is amended
16 to read:

17 Section 708. Exceptions for public records.

18 * * *

19 (b) Exceptions.--Except as provided in subsections (c) and
20 (d), the following are exempt from access by a requester under
21 this act:

22 * * *

1 (17) A record of an agency, except for the Pennsylvania
2 Fish and Boat Commission, relating to a noncriminal
3 investigation, including:

4 (i) Complaints submitted to an agency.

5 (ii) Investigative materials, notes, correspondence
6 and reports.

7 (iii) A record that includes the identity of a
8 confidential source, including individuals subject to the
9 act of December 12, 1986 (P.L.1559, No.169), known as the
10 Whistleblower Law.

11 (iv) A record that includes information made
12 confidential by law.

13 (v) Work papers underlying an audit.

14 (vi) A record that, if disclosed, would do any of
15 the following:

16 (A) Reveal the institution, progress or result
17 of an agency investigation, except the imposition of
18 a fine or civil penalty, the suspension, modification
19 or revocation of a license, permit, registration,
20 certification or similar authorization issued by an
21 agency or an executed settlement agreement unless the
22 agreement is determined to be confidential by a
23 court.

24 (B) Deprive a person of the right to an
25 impartial adjudication.

26 (C) Constitute an unwarranted invasion of
27 privacy.

28 (D) Hinder an agency's ability to secure an
29 administrative or civil sanction.

30 (E) Endanger the life or physical safety of an

1 individual.

2 * * *

3 Section 2. This act shall take effect immediately.