

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1546 Session of
2021

INTRODUCED BY FARRY, POLINCHOCK, WHITE, THOMAS, C. WILLIAMS,
STAATS, TOMLINSON, STEPHENS, QUINN, HENNESSEY AND RIGBY,
JUNE 11, 2021

SENATOR REGAN, LAW AND JUSTICE, IN SENATE, AS AMENDED,
OCTOBER 19, 2022

AN ACT

1 ~~Amending Title 18 (Crimes and Offenses) of the Pennsylvania~~ <--
2 ~~Consolidated Statutes, in other offenses, providing for~~
3 ~~confidentiality of personal information for public safety~~
4 ~~officials.~~

5 AMENDING TITLE 18 (CRIMES AND OFFENSES) OF THE PENNSYLVANIA <--
6 CONSOLIDATED STATUTES, IN ASSAULT, PROVIDING FOR THE OFFENSE
7 OF ENDANGERMENT OF PUBLIC SAFETY OFFICIAL.

8 The General Assembly of the Commonwealth of Pennsylvania

9 hereby enacts as follows:

10 Section 1. Title 18 of the Pennsylvania Consolidated

11 Statutes is amended by adding a section to read:

12 ~~§ 7507.2. Confidentiality of personal information for public~~ <--
13 ~~safety officials.~~

14 ~~(a) General rule.~~

15 ~~(1) No person shall publicly post, publicly display or~~
16 ~~provide to a third party the home address or telephone number~~
17 ~~of any public safety official or of any public safety~~
18 ~~official's spouse or child knowing that the person is a~~
19 ~~public safety official and that a third party is only seeking~~

~~information because of the public safety official's
occupation and may cause to harm or threaten to harm the
public safety official or the public safety official's spouse
or child.~~

~~(2) No person, business or association shall solicit,
sell or trade on the Internet the home address or telephone
number of a public safety official that may cause harm to the
public safety official or to any person residing at the
public safety official's home address.~~

~~(b) Penalty.~~

~~(1) A violation of subsection (a) is a misdemeanor of
the third degree, if there is no bodily injury of the public
safety official or the person's spouse or child.~~

~~(2) A violation of subsection (a) that leads to the
bodily injury of the public safety official or the person's
spouse or child is a misdemeanor of the first degree.~~

~~(c) Right to action.~~

~~(1) Notwithstanding any other law, a public safety
official whose home address or telephone number is solicited,
sold or traded in violation of this section may bring an
action in a court of competent jurisdiction.~~

~~(2) If a jury or court finds that a violation has
occurred, damages shall be awarded to the public safety
official in an amount up to a maximum of three times the
actual damages, but not less than \$2,000.~~

~~(d) Definitions. The following words and phrases when used
in this section shall have the meanings given to them in this
subsection unless the context clearly indicates otherwise:~~

~~"Public safety official." An individual referred to in
section 2702(c) (relating to aggravated assault), except~~

~~paragraphs (22), (26), (33) and (36). The term includes any person who is determined to be a law enforcement officer for purposes of the act of February 14, 2008 (P.L.6, No.3), known as the Right to Know Law. The term excludes an individual who is a candidate for or holds an elective office.~~

~~"Publicly display" and "publicly post." To intentionally communicate or otherwise make available to the general public, including on the Internet.~~

~~Section 2. This act shall take effect in 90 days.~~

~~§ 2719. ENDANGERMENT OF PUBLIC SAFETY OFFICIAL.~~

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~~(A) ENDANGERMENT OF PUBLIC SAFETY OFFICIAL.--A PERSON COMMITS THE OFFENSE OF ENDANGERING A PUBLIC SAFETY OFFICIAL IF THE PERSON INTENTIONALLY OR KNOWINGLY COMMUNICATES, OR PUBLISHES THROUGH AN ELECTRONIC SOCIAL MEDIA SERVICE, THE RESTRICTED PERSONAL INFORMATION OF A PUBLIC SAFETY OFFICIAL OR A FAMILY OR HOUSEHOLD MEMBER OF A PUBLIC SAFETY OFFICIAL WITH:~~

~~(1) RECKLESS DISREGARD THAT THE RESTRICTED PERSONAL INFORMATION WILL BE USED TO THREATEN, INTIMIDATE OR FACILITATE THE COMMISSION OF A CRIME AGAINST THE PUBLIC SAFETY OFFICIAL OR A FAMILY OR HOUSEHOLD MEMBER OF THE PUBLIC SAFETY OFFICIAL; OR~~

~~(2) THE INTENT THAT THE RESTRICTED PERSONAL INFORMATION WILL BE USED TO THREATEN, INTIMIDATE OR FACILITATE THE COMMISSION OF A CRIME AGAINST THE PUBLIC SAFETY OFFICIAL OR A FAMILY OR HOUSEHOLD MEMBER OF THE PUBLIC SAFETY OFFICIAL.~~

~~(B) GRADING.--~~

~~(1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), AN OFFENSE UNDER SUBSECTION (A) SHALL CONSTITUTE A MISDEMEANOR OF THE FIRST DEGREE.~~

~~(2) AN OFFENSE UNDER SUBSECTION (A) THAT RESULTS IN~~

1 BODILY INJURY TO A PUBLIC SAFETY OFFICIAL OR A FAMILY OR
2 HOUSEHOLD MEMBER OF A PUBLIC SAFETY OFFICIAL SHALL CONSTITUTE
3 A FELONY OF THE SECOND DEGREE.

4 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
5 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
6 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

7 "COMMUNICATE." CONVEY A MESSAGE BY ORAL, NONVERBAL, WRITTEN
8 OR ELECTRONIC MEANS, INCLUDING TELEPHONE, ELECTRONIC MAIL,
9 INTERNET, FACSIMILE, TELEX, WIRELESS COMMUNICATION OR SIMILAR
10 TRANSMISSION.

11 "FAMILY OR HOUSEHOLD MEMBER." SPOUSES OR PERSONS WHO HAVE
12 BEEN SPOUSES, PERSONS LIVING AS SPOUSES OR WHO LIVED AS SPOUSES,
13 PARENTS, CHILDREN, OTHER PERSONS RELATED BY CONSANGUINITY OR
14 AFFINITY, CURRENT OR FORMER SEXUAL OR INTIMATE PARTNERS OR
15 PERSONS WHO SHARE BIOLOGICAL PARENTHOOD.

16 "PUBLIC SAFETY OFFICIAL." AN INDIVIDUAL LISTED UNDER SECTION
17 2702(C) (RELATING TO AGGRAVATED ASSAULT).

18 "RESTRICTED PERSONAL INFORMATION." AN INDIVIDUAL'S IMAGE,
19 NAME, SOCIAL SECURITY NUMBER, HOME ADDRESS, HOME PHONE NUMBER,
20 MOBILE PHONE NUMBER, PERSONAL EMAIL OR HOME FAX NUMBER.

21 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 90 DAYS.