

AMENDMENTS TO SENATE BILL NO. 260

Sponsor: SENATOR ROBINSON

Printer's No. 223

1 Amend Bill, page 1, lines 1 through 6, by striking out all of
2 said lines and inserting

3 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
4 Consolidated Statutes, in wiretapping and electronic
5 surveillance, further providing for definitions.

6 Amend Bill, page 2, lines 16 through 30; page 3, lines 1
7 through 7; by striking out all of said lines on said pages and
8 inserting

9 (3) A communication made in the presence of an agent as
10 defined in 61 Pa.C.S. § 6101 (relating to definitions) who:

11 (i) is clearly identifiable as being on official
12 duty;

13 (ii) is using an electronic, mechanical or other
14 device that has been approved under section 5706(b)(4) to
15 intercept a wire, electronic or oral communication in the
16 course of official duties; and

17 (iii) has received training on the device specified
18 under subparagraph (ii).

19 (4) A communication made in the presence of an
20 individual employed by the Bureau of Investigations and
21 Intelligence within the Department of Corrections who:

22 (i) holds a police officer commission in accordance
23 with section 1 of the act of May 21, 1943 (P.L.469,
24 No.210), entitled "An act providing for commissioning as
25 police officers certain employes of institutions
26 maintained in whole or in part by the Commonwealth;
27 conferring upon them the powers of constables in certain
28 cases; and imposing duties on wardens and keepers of
29 jails, police stations and lock-ups";

30 (ii) is clearly identifiable as being on official
31 duty;

32 (iii) is using an electronic, mechanical or other
33 device that has been approved under section 5706(b)(4) to
34 intercept a wire, electronic or oral communication in the
35 course of official duties; and

1 (iv) has received training on the device specified
2 under subparagraph (iii).

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4 Amend Bill, page 3, line 8, by striking out "3" and inserting

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