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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2509 Session of  
2024

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INTRODUCED BY CEPEDA-FREYTIZ, HOHENSTEIN, GIRAL, PIELLI, PROBST,  
SANCHEZ, HILL-EVANS, HADDOCK, D. WILLIAMS, CURRY AND CIRESI,  
JULY 23, 2024

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REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND  
UTILITIES, JULY 23, 2024

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AN ACT

1 Amending the act of November 29, 2006 (P.L.1435, No.156),  
2 entitled "An act relating to confidential security  
3 information of public utilities; and imposing penalties,"  
4 further providing for procedures for submitting, challenging  
5 and protecting confidential security information.

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

8 Section 1. Section 3 of the act of November 29, 2006  
9 (P.L.1435, No.156), known as the Public Utility Confidential  
10 Security Information Disclosure Protection Act, is amended by  
11 adding a subsection to read:

12 Section 3. Procedures for submitting, challenging and  
13 protecting confidential security information.

14 \* \* \*

15 (f) Exception for governmental agency.--

16 (1) A public utility shall make available a public  
17 utility record or emergency response under 66 Pa.C.S. § 1512  
18 (relating to emergency response plans), regardless of whether

1 it contains confidential security information if:

2 (i) requested by a Federal or State agency or  
3 governmental body, including the National Transportation  
4 Safety Board; and

5 (ii) there are reasonable grounds to believe that a  
6 public utility facility may cause or has resulted in a  
7 safety risk, including harm to any person or mass  
8 destruction.

9 (2) A Federal or State agency or governmental body,  
10 including the National Transportation Safety Board, acquiring  
11 a public utility record or emergency response is not subject  
12 to subsection (a), (b), (c), (d) or (e). Release or  
13 disclosure of all or a portion of the utility record or  
14 emergency response does not:

15 (i) constitute prohibited disclosure under section  
16 5(a); and

17 (ii) cause the public utility record or emergency  
18 response to become a public record subject to inspection  
19 and duplication under the act of February 14, 2008  
20 (P.L.6, No.3), known as the Right-to-Know Law.

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