

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1077 Session of 2015

INTRODUCED BY VOGEL, EICHELBERGER, TEPLITZ, RAFFERTY, WHITE, WAGNER, VULAKOVICH, WARD AND BROWNE, DECEMBER 11, 2015

AS AMENDED ON THIRD CONSIDERATION, MAY 9, 2016

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in wiretapping and electronic
3 surveillance, further providing for exceptions to prohibition
4 of interception and disclosure of communications.

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

7 Section 1. Section 5704(18) of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 5704. Exceptions to prohibition of interception and
10 disclosure of communications.

11 It shall not be unlawful and no prior court approval shall be
12 required under this chapter for:

13 * * *

14 (18) A person to intercept oral communications for
15 disciplinary or security purposes on a school bus or school
16 vehicle, as those terms are defined in 75 Pa.C.S. § 102
17 (relating to definitions), if all of the following conditions
18 are met:

19 (i) The school board has adopted a policy that

1 authorizes audio interception on school buses or school
2 vehicles for disciplinary or security purposes.

3 (ii) Each school year, the school board [notifies
4 students and their parents or guardians of the policy, by
5 letter mailed to the students' home addresses.] includes
6 the policy in a student handbook and in any other
7 publication of the school entity that sets forth the
8 comprehensive rules, procedures and standards of conduct
9 for the school entity.

10 (iii) The school board posts a notice that students
11 may be audiotaped, which notice is clearly visible on
12 each school bus or school vehicle that is furnished with
13 audio-recording equipment.

14 (IV) THE SCHOOL ENTITY POSTS A NOTICE OF THE POLICY <--
15 ON THE SCHOOL ENTITY'S PUBLICLY ACCESSIBLE INTERNET
16 WEBSITE.

17 This paragraph shall not apply when a school bus or school
18 vehicle is used for a purpose that is not school related.

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