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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1835 Session of  
2017

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INTRODUCED BY BARRAR, SAINATO, BARBIN, BOBACK, GILLEN, JOZWIAK,  
MARSHALL, MURT, ROEBUCK, SAYLOR, SCHLOSSBERG, WATSON, RYAN  
AND D. COSTA, OCTOBER 10, 2017

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REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, OCTOBER 10, 2017

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AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in grants to fire companies and  
3 emergency medical services companies, further providing for  
4 definitions, for award of grants and for requiring fire  
5 companies and emergency medical services companies to  
6 establish a social media policy in order to be eligible to  
7 receive grant funds.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 7802 of Title 35 of the Pennsylvania  
11 Consolidated Statutes is amended by adding a definition to read:  
12 § 7802. Definitions.

13 The following words and phrases when used in this chapter  
14 shall have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 \* \* \*

17 "Social media." Technologies that facilitate and promote  
18 interactive communication via the Internet, where individuals  
19 exchange content, pictures and information, and include

1 applications and sites such as Facebook, Twitter, YouTube,  
2 Tumblr, blogs or any new technology with the same or similar  
3 functionality.

4 \* \* \*

5 Section 2. Sections 7813(d) and 7823(b.1) of Title 35 are  
6 amended to read:

7 § 7813. Award of grants.

8 \* \* \*

9 (d) Eligibility.--To receive grant funds under this chapter,  
10 a fire company must:

11 (1) Have actively responded to at least 10 fire or  
12 rescue emergencies during the previous calendar year.

13 (2) Be actively participating in the Pennsylvania Fire  
14 Information Reporting System under a signed agreement. The  
15 commissioner shall develop and publish guidelines specifying  
16 the criteria necessary to determine the level of  
17 participation in the Pennsylvania Fire Information Reporting  
18 System to remain eligible for grant funds.

19 (3) Have implemented a social media policy that meets  
20 the requirements of section 7843 (relating to social media  
21 policy) and is applicable to all individuals associated with  
22 the fire company.

23 § 7823. Award of grants.

24 \* \* \*

25 (b.1) Eligibility.--To receive grant funds under this  
26 chapter, an EMS company must [be]:

27 (1) Be designated by a municipality as the  
28 municipality's primary EMS provider.

29 (2) Have implemented a social media policy that meets  
30 the requirements of section 7843 (relating to social media

1 policy) and is applicable to all individuals associated with  
2 the EMS company.

3 \* \* \*

4 Section 3. Title 35 is amended by adding a section to read:  
5 § 7843. Social media policy.

6 (a) General rule.--An applicant for a grant under this  
7 chapter must demonstrate that the applicant's social media  
8 policy conforms to the requirements of this section. Failure to  
9 establish a social media policy in accordance with this section  
10 shall disqualify the applicant from receiving a grant under this  
11 chapter.

12 (b) Requirements.--The social media policy of a fire company  
13 or an EMS company shall include the following provisions  
14 applicable to volunteers, members and employees of the fire  
15 company or EMS company:

16 (1) The fire company or EMS company reserves the right  
17 to monitor the social media content posted, uploaded,  
18 downloaded or shared by a volunteer, member or employee on a  
19 personal social media account of the volunteer, member or  
20 employee, or on a social media account or the Internet  
21 website of the fire company or EMS company.

22 (2) Individuals may post content on behalf of the fire  
23 company or EMS company with permission granted by the chief  
24 of the fire company or the supervisor or chief of the EMS  
25 company.

26 (3) Posting, uploading, downloading or sharing of a fire  
27 company's or EMS company's confidential and nonpublic  
28 information is prohibited.

29 (4) Posting, uploading, downloading or sharing of the  
30 name of the chief of a fire company or the supervisor or

1 chief of an EMS company or the logo or copyrighted material  
2 in possession of the fire company or EMS company is  
3 prohibited.

4 (5) The act of taking pictures or making video or voice  
5 recordings when on duty and responding to an emergency is  
6 prohibited unless authorized by the chief of a fire company  
7 or the supervisor or chief of an EMS company for an official  
8 purpose that directly relates to a training or investigative  
9 purpose.

10 (6) The act of posting, uploading, downloading or  
11 sharing images, recordings or videos taken when on duty and  
12 responding to an emergency is prohibited.

13 (7) An individual who violates the social media policy  
14 shall be reported to the chief of a fire company or the  
15 supervisor or chief of an EMS company. Disciplinary action  
16 shall be at the discretion of the chief of a fire company and  
17 the supervisor or chief of an EMS company.

18 (8) Media content that violates the social media policy  
19 as determined by the chief of a fire company or the  
20 supervisor or chief of an EMS company must be removed from  
21 the social media website by the individual who posted or  
22 uploaded the content. If the media content is not removed,  
23 disciplinary action may be taken by the chief of a fire  
24 company or the supervisor or chief of an EMS company, which  
25 may include immediate dismissal.

26 (9) Dissemination of sensitive or personal information  
27 related to an emergency response or event through technology  
28 of the fire company or EMS company may be subject to  
29 discovery through legal means and may expose the fire company  
30 or EMS company, and the individual that posts or uploads the

1 personal or sensitive information, to lawsuits and legal  
2 liability.

3 (c) Training.--A fire company or EMS company shall:

4 (1) Provide training on its social media policy to all  
5 volunteers, members and employees of the fire company or EMS  
6 company.

7 (2) Document the training provided. The documentation  
8 must indicate that volunteers, members and employees have  
9 been informed of and understand the social media policy of  
10 the fire company or EMS company.

11 (d) Social media policy to be made available.--A fire  
12 company and an EMS company must make available the social media  
13 policy of the fire company or EMS company to volunteers, members  
14 and employees of the fire company or EMS company. A fire company  
15 and an EMS company shall post its social media policy in a  
16 conspicuous location where notices to volunteers, members and  
17 employees are usually posted.

18 Section 4. The State Fire Commissioner may establish  
19 guidelines and forms necessary to carry out this act.

20 Section 5. This act shall take effect in 60 days.