

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1985 Session of 2021

INTRODUCED BY BONNER, ROWE, C. WILLIAMS, DeLUCA, CIRESI, GLEIM, JOZWIAK, ZIMMERMAN AND SCHLEGEL CULVER, OCTOBER 21, 2021

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, NOVEMBER 9, 2021

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 of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended by adding a paragraph 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 (19) A person to intercept the oral WIRE communications <--
15 of a telemarketer, telemarketing business or an individual or
16 entity that initiates robocalls, as those terms are defined
17 in section 2 of the act of December 4, 1996 (P.L.911,
18 No.147), known as the Telemarketer Registration Act, provided

1 that the person who received the telephone call has consented
2 to the interception, for purposes of enforcing any of the
3 following:

4 (i) Section 3 of the Telephone Consumer Protection
5 Act of 1991 (105 Stat. 2394, 47 U.S.C. § 227).

6 (ii) The act of December 17, 1968 (P.L.1224,
7 No.387), known as the Unfair Trade Practices and Consumer
8 Protection Law.

9 (iii) The Telemarketer Registration Act.

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