

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 37 Session of 2015

INTRODUCED BY GRELL, D. COSTA, WHEELAND, HACKETT, HARHART, TAYLOR, SCHLEGEL CULVER, SANTARSIERO, SCHLOSSBERG, KINSEY, BAKER, McNEILL, CALTAGIRONE, STEPHENS, HELM, BARRAR, WATSON, PICKETT, FEE, GABLER, ROSS, WARD, GOODMAN, CUTLER, MARSICO, READSHAW, A. HARRIS, KLUNK, MAHONEY, PHILLIPS-HILL AND MURT, APRIL 10, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 10, 2015

AN ACT

1 Amending the act of February 14, 2008 (P.L.6, No.3), entitled  
 2 "An act providing for access to public information, for a  
 3 designated open-records officer in each Commonwealth agency,  
 4 local agency, judicial agency and legislative agency, for  
 5 procedure, for appeal of agency determination, for judicial  
 6 review and for the Office of Open Records; imposing  
 7 penalties; providing for reporting by State-related  
 8 institutions; requiring the posting of certain State contract  
 9 information on the Internet; and making related repeals," in  
 10 preliminary provisions, further providing for definitions;  
 11 and, in procedure, further providing for exceptions for  
 12 public records.

13 The General Assembly of the Commonwealth of Pennsylvania  
 14 hereby enacts as follows:

15 Section 1. Section 102 of the act of February 14, 2008  
 16 (P.L.6, No.3), known as the Right-to-Know Law, is amended by  
 17 adding a definition to read:

18 Section 102. Definitions.

19 The following words and phrases when used in this act shall  
 20 have the meanings given to them in this section unless the  
 21 context clearly indicates otherwise:

1 \* \* \*

2 "Law enforcement officer." Any of the following:

3 (1) A member of the Pennsylvania State Police.

4 (2) A liquor enforcement officer of the Pennsylvania  
5 State Police.

6 (3) Any enforcement officer or investigator employed by  
7 the Pennsylvania Liquor Control Board.

8 (4) A parole agent, enforcement officer and investigator  
9 of the Pennsylvania Board of Probation and Parole.

10 (5) A Capitol Police officer.

11 (6) A Department of Conservation and Natural Resources  
12 ranger.

13 (7) A drug enforcement agent of the Office of Attorney  
14 General whose principal duty is the enforcement of the drug  
15 laws of this Commonwealth and a special agent of the Office  
16 of Attorney General whose principal duty is the enforcement  
17 of the criminal laws of this Commonwealth.

18 (8) Any member of an authority police department.

19 (9) Any police officer of a county, region, city,  
20 borough, town or township.

21 (10) Any sheriff or deputy sheriff.

22 (11) A Pennsylvania Waterways Conservation Officer.

23 (12) A Pennsylvania Wildlife Conservation Officer.

24 (13) A member of a campus police force with the power to  
25 arrest under section 2416 of the act of April 9, 1929

26 (P.L.177, No.175), known as The Administrative Code of 1929.

27 As used in this paragraph, the term "campus police" has the  
28 meaning given in section 302 of the act of November 29, 2004

29 (P.L.1383, No.180), known as the Uniform Crime Reporting Act.

30 (14) A member of the Fort Indiantown Gap Police Force.

1           (15) A corrections officer employed at a State or county  
2 correctional institution to provide any security or custodial  
3 service for inmates.

4           (16) A constable or a deputy constable.

5           \* \* \*

6           Section 2. Section 708(b)(6) of the act is amended to read:  
7 Section 708. Exceptions for public records.

8           \* \* \*

9           (b) Exceptions.--Except as provided in subsections (c) and  
10 (d), the following are exempt from access by a requester under  
11 this act:

12           \* \* \*

13           (6) (i) The following personal identification  
14 information:

15                   (A) A record containing all or part of a  
16 person's Social Security number, driver's license  
17 number, personal financial information, home,  
18 cellular or personal telephone numbers, personal e-  
19 mail addresses, employee number or other confidential  
20 personal identification number.

21                   (B) A spouse's name, marital status or  
22 beneficiary or dependent information.

23                   (C) The home address of a current, former or  
24 retired law enforcement officer or judge.

25           (ii) Nothing in this paragraph shall preclude the  
26 release of the name, position, salary, actual  
27 compensation or other payments or expenses, employment  
28 contract, employment-related contract or agreement and  
29 length of service of a public official or an agency  
30 employee.

1           (iii) An agency may redact the name or other  
2           identifying information relating to an individual  
3           performing an undercover or covert law enforcement  
4           activity from a record.

5           \* \* \*

6           Section 3. This act shall take effect in 60 days.