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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 639 Session of  
2023

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INTRODUCED BY KANE, FONTANA, DILLON, COSTA AND BREWSTER,  
MAY 1, 2023

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REFERRED TO JUDICIARY, MAY 1, 2023

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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 an electronic or oral  
15 conversation where the conversation was intercepted via an  
16 electronic home security system installed on the premises of  
17 the person's home. The following shall apply:

18 (i) A person who intercepts an electronic or oral  
19 conversation under this paragraph may not disseminate the

1 conversation unless the dissemination is to a law  
2 enforcement agency for the purpose of an investigation.

3 (ii) An electronic home security system under this  
4 paragraph shall contain reasonable parameters that take  
5 into account the density of the neighborhood and the  
6 structure of housing, including whether the neighboring  
7 homes share walls, porches, roofs or other structural  
8 features that make privacy difficult to address and  
9 secure, to ensure the privacy of individuals not on  
10 premises of the person's home.

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