

SB 520 -- Redline

Printer's No. PN1008 to Printer's No. PN1010 -- An Act amending Titles 18 (Crimes and Offenses), 30 (Fish), 34 (Game), 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for definitions and repealing provisions relating to public access; in enforcement relating to fish, further providing for powers and duties of waterways conservation officers and deputies; in enforcement relating to game, further providing for powers and duties of enforcement officers; in recordings by law enforcement officers, further providing for definitions and for audio recording or video recording policies; in Pennsylvania Board of Probation and Parole, further providing for powers and duties of Department of Corrections; and making transfers between the State Gaming Fund and certain restricted accounts.

Deletions ~~struck~~ · Insertions underlined

PRIOR PRINTER'S ~~NO-NOS.~~

~~489~~489, 1008 PRINTER'S NO.

~~1008~~1010 THE GENERAL ASSEMBLY OF PENNSYLVANIA SENATE BILL Session of 2025 No.

~~520-2025~~ INTRODUCED BY BAKER, PENNYCUICK, ROBINSON, BARTOLOTTA, BROWN, COSTA, KANE, J.

WARD, MILLER, STEFANO, SCHWANK AND DUSH, MARCH 26, 2025 ~~SENATOR~~AS MARTIN, AMENDED ~~APPROPRIATIONS, ON RE-REPORTED~~THIRD AS CONSIDERATION, AMENDED, JUNE 25, 2025 AN ACT Amending Titles 18 (Crimes and Offenses), 30 (Fish), 34 (Game) and 42 (Judiciary and Judicial ~~Procedure~~)Procedure), 42 (JUDICIARY AND <-- JUDICIAL PROCEDURE) AND 61 (PRISONS AND PAROLE) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for definitions and repealing provisions relating to public access;

in recordings by law ~~enforcement officers, further providing for definitions and~~ for audio recording or video recording policies;

~~AND INIONS MAKING AND TRANSFERS <-- BETWEEN PENNSYLVANIA THE BOARD STATE OF GAMING PROBATION FUND AND PAROLE, FURTHER PROVIDING FOR POWERS AND CERTAIN DUTIES RESTRICTED OF ACCOUNTS, DEPARTMENT OF CORRECTIONS;~~

and making transfers between the State Gaming Fund and certain restricted accounts.

20250SB0520PN1010 - 2 - (iv) Has provided prior written notice to a person ~~20250SB0520PN1008 - 2 -~~ under the lawful supervision of State parole that an agent, as defined in 61 Pa.C.S.

(iii) An agent of the Office of Attorney General as 20250SB0520PN1010 - 3 - described under paragraph (2) of the definition of ~~20250SB0520PN1008 - 3 -~~ "enforcement officer" in 71 Pa.C.S.

and imposing duties on wardens and keepers of jails, police stations and lock- ~~ups, "ups."~~ "PROVIDED THAT THE Section INDIVIDUAL 2, IS NOT INTERCEPTING <-- THE COMMUNICATION FROM INSIDE THE RESIDENCE OF AN EMPLOYEE OF THE DEPARTMENT OF CORRECTIONS WITHOUT THE CONSENT OF THE EMPLOYEE OR PRIOR COURT APPROVAL.

* * * 20250SB0520PN1010 - 4 - Section 2.

Sec. 6101 (relating to ~~20250SB0520PN1008 - 4 -~~ definitions), under this chapter shall not be subject to the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, and shall follow the access procedures provided for under 42 Pa.C.S.

* * * [(b.1) Exception to the prohibition of interception and disclosure of communications.--An officer whose duty it is to enforce this title and who has received training on the use of 20250SB0520PN1010 - 5 - an electronic, mechanical or other device which has been approved under 18 Pa.C.S.

Sec. 5706(b)(4) (relating to exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices) in ~~20250SB0520PN1008 - 5 -~~ a course approved by the Pennsylvania State Police shall be an investigative or law enforcement officer as defined under 18 Pa.C.S.

(3) An agent of the Office of Attorney General as described under paragraph (2) of the definition of 20250SB0520PN1010 - 6 - "enforcement officer" in 71 Pa.C.S.

(5) Waterways conservation officers or deputy waterways ~~20250SB0520PN1008 - 6 -~~ conservation officers as the terms are defined under 30 Pa.C.S.

(a) Policies.--A [municipal] law enforcement agency [or sheriff] that makes audio recordings or video recordings of 20250SB0520PN1010 - 7 - communications under circumstances within paragraph (2) of the definition of "oral communication" in 18 Pa.C.S.

Sec. 5706(b)(4), (5) and (6) (relating ~~20250SB0520PN1008 - 7 -~~ to exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices) and shall establish written policies, which shall be public, for the following:

~~NOTWITHSTANDING SECTION ANY 6171 OTHER OF PROVISION TITLE OF 61 LAW, IS FOR AMENDED BY ADDING A <-- FISCAL SUBSECTION YEAR TO 2025-2026: READ:~~

~~(1) Sec. \$213, 2006 171. OF THE MONEY ALLOCATED TO THE PENNSYLVANIA GAMING CONTROL BOARD UNDER 4 PA.C.S. Sec. POWERS 1408(C) AND (RELATING DUTIES TO TRANSFERS FROM STATE GAMING FUND) FOR LOCAL LAW ENFORCEMENT GRANTS SHALL BE TRANSFERRED TO THE PUBLIC PROTECTION LAW ENFORCEMENT RESTRICTED ACCOUNT FOR THE PURPOSE~~

~~OF IMPLEMENTING DEPARTMENT. THE PROVISIONS OF THIS ACT BY THE OFFICE OF ATTORNEY GENERAL.~~

~~(2)* \$719,550* * (D) NOTICE TO PAROLEES OF THE INTERCEPTED MONEY COMMUNICATIONS.--UPON ALLOCATED BEING TO GRANTED PAROLE, AN OFFENDER SHALL BE PROVIDED WRITTEN NOTICE THAT ANY COMMUNICATION MADE IN THE PENNSYLVANIA PRESENCE GAMING OF CONTROL AN BOARD AGENT MAY BE INTERCEPTED BY AN AGENT USING AN ELECTRONIC, MECHANICAL OR OTHER DEVICE WHICH HAS BEEN APPROVED UNDER 418 PA.C.S.~~

~~Sec. 1408(C) 5706(B)(4) FOR (RELATING LOCAL TO LAW EXCEPTIONS ENFORCEMENT GRANTS SHALL BE TRANSFERRED TO THE PROHIBITIONS STATE IN PARKS POSSESSION, USER SALE, FEES DISTRIBUTION, RESTRICTED MANUFACTURE RECEIPTS OR ACCOUNT ADVERTISEMENT FOR THE PURPOSE OF IMPLEMENTING ELECTRONIC, THE MECHANICAL PROVISIONS OR OF OTHER THIS DEVICES).--ACT BY THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES.~~

Notwithstanding any other provision of law, for <-- fiscal year 2025-2026:

(1) \$213,200 of the money allocated to the Pennsylvania Gaming Control Board under 4 Pa.C.S.

Sec. 1408(c) (relating to transfers from State Gaming Fund) for local law enforcement grants shall be transferred to the Public Protection Law Enforcement Restricted Account for the purpose of implementing the provisions of this act by the Office of Attorney General.

20250SB0520PN1010 - 8 - (2) \$719,550 of the money allocated to the Pennsylvania Gaming Control Board under 4 Pa.C.S.

Sec. 1408(c) for local law enforcement grants shall be transferred to the State Parks User Fees Restricted Receipts Account for the purpose of implementing the provisions of this act by the Department of Conservation and Natural Resources.

Section 8 9.

~~<-- 20250SB0520PN1008~~20250SB0520PN1010 - ~~89~~ -