

No. 1981-72

AN ACT

HB 243

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, extending exceptions to prohibition on interception and disclosure of communications to the Pennsylvania Emergency Management Agency and to certain personnel of public utilities.

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

Section 1. Paragraph (3) of section 5704 of Title 18, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended and a paragraph is added to read:

§ 5704. Exceptions to prohibition on interception and disclosure of communications.

It shall not be unlawful under this chapter for:

* * *

(3) Police and emergency communications systems to record telephone communications coming into and going out of the communications system of *the Pennsylvania Emergency Management Agency or a police department, fire department[,] or county emergency center, if:*

(i) the telephones thereof are limited to the exclusive use of the communication system for administrative purposes and provided the communication system employs a periodic warning which indicates to the parties to the conversation that the call is being recorded;

(ii) all recordings made pursuant to this clause, all notes made therefrom, and all transcriptions thereof may be destroyed at any time, unless required with regard to a pending matter; and

(iii) at least one nonrecorded telephone line is made available for public use at *the Pennsylvania Emergency Management Agency and at each police department, fire department or county emergency center.*

* * *

(6) Personnel of any public utility to record telephone conversations with utility customers or the general public relating to receiving and dispatching of emergency and service calls provided there is, during such recording, a periodic warning which indicates to the parties to the conversation that the call is being recorded.

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

APPROVED—The 10th day of July, A. D. 1981.

DICK THORNBURGH