

No. 2016-56

AN ACT

SB 1077

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for exceptions to prohibition of interception and disclosure of communications.

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

Section 1. Section 5704(18) of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

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

It shall not be unlawful and no prior court approval shall be required under this chapter for:

* * *

(18) A person to intercept oral communications for disciplinary or security purposes on a school bus or school vehicle, as those terms are defined in 75 Pa.C.S. § 102 (relating to definitions), if all of the following conditions are met:

(i) The school board has adopted a policy that authorizes audio interception on school buses or school vehicles for disciplinary or security purposes.

(ii) Each school year, the school board **[notifies students and their parents or guardians of the policy, by letter mailed to the students' home addresses.] *includes the policy in a student handbook and in any other publication of the school entity that sets forth the comprehensive rules, procedures and standards of conduct for the school entity.***

(iii) The school board posts a notice that students may be audiotaped, which notice is clearly visible on each school bus or school vehicle that is furnished with audio-recording equipment.

(iv) The school entity posts a notice of the policy on the school entity's publicly accessible Internet website.

This paragraph shall not apply when a school bus or school vehicle is used for a purpose that is not school related.

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

APPROVED—The 23rd day of June, A.D. 2016

TOM WOLF