

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 866 Session of 2015

INTRODUCED BY BOSCOLA, COSTA, HUGHES, FONTANA, YUDICHAK,
TEPLITZ, WARD, WOZNIAK, TARTAGLIONE AND ARGALL, JUNE 2, 2015

REFERRED TO JUDICIARY, JUNE 2, 2015

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in offenses against public order and
3 decency, providing for unlawful dissemination of residential
4 information.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 5518. Unlawful dissemination of residential information.

10 (a) Offense.--An individual unlawfully disseminates
11 residential information if the individual posts signs, publishes
12 on a publicly accessible medium or social media site or
13 otherwise disseminates a visual depiction of a protected person
14 that the individual knows to be a protected person, the
15 residence of a protected person, directions to a protected
16 person's residence or messages suggesting that the protected
17 person has a residence in close proximity, without consent, if
18 such activity is likely to result in the following:

19 (1) Disclosure of the actual home, home address or the

1 location of a protected person.

2 (2) Actual or threatened physical harm to a protected
3 person or a family or household member of a protected person.

4 (3) Emotional distress to a protected person or a family
5 or household member of a protected person.

6 (b) Grading.--A violation of subsection (a) shall
7 constitute:

8 (1) A misdemeanor of the third degree for a first
9 offense.

10 (2) A misdemeanor of the first degree for a second or
11 subsequent offense.

12 (c) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection unless the context clearly indicates otherwise:

15 "Disseminate." To cause or make an electronic or actual
16 communication from one person, place or electronic communication
17 device to two or more other persons, places or electronic
18 communication devices.

19 "Family or household members." The term as defined in 23
20 Pa.C.S. § 6102 (relating to definitions).

21 "Member of the armed services of the United States or
22 National Guard." Includes individuals on active duty and those
23 in reserve units or guard units.

24 "Protected person." A public safety officer or a member of
25 the armed services of the United States or National Guard.

26 "Public safety officer." Any police officer or other officer
27 with the authority to make arrests for any violation of law, a
28 corrections officer or a probation or parole officer.

29 "Social media site." Any Internet-based website used by
30 individuals to post or share information, images or other items

1 with other persons.

2 "Visual depiction." A representation by picture, including,
3 but not limited to, a photograph, videotape, film or computer
4 image.

5 (d) Affirmative defense.--The provisions of this section
6 shall not apply to a person engaged in, connected with or
7 employed by any newspaper of general circulation, any press
8 association, any radio or television station or any magazine of
9 general circulation for the purpose of gathering, procuring,
10 compiling, editing or publishing news.

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