
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1744 Session of
2023

INTRODUCED BY GREGORY, BERNSTINE, MOUL, ROZZI AND SMITH,
OCTOBER 4, 2023

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 4, 2023

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 a wire, electronic or oral
15 communication involving suspected criminal activity if the
16 person reasonably believes all of the following:

17 (i) A party to the communication is engaged or
18 intends to engage in an activity prohibited under any of
19 the following:

1 (A) Chapter 30 (relating to human trafficking).

2 (B) Chapter 31 (relating to sexual offenses).

3 (C) Section 4304(a)(1) (relating to endangering
4 welfare of children), if the activity involves sexual
5 contact with the minor.

6 (D) Section 6301(a)(1) (relating to corruption
7 of minors), if the activity involves sexual contact
8 with the minor.

9 (E) Section 6312 (relating to sexual abuse of
10 children).

11 (F) Section 6318 (relating to unlawful contact
12 with minor).

13 (G) Section 6320 (relating to sexual
14 exploitation of children).

15 (ii) A victim of the prohibited activity is an
16 individual who is under 18 years of age.

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