

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 149 Session of
2017

INTRODUCED BY KNOWLES, SIMMONS, SCHLOSSBERG, ROZZI, ZIMMERMAN,
V. BROWN, READSHAW, DRISCOLL, A. HARRIS, WARD, BOBACK,
KAUFFMAN, ORTITAY, B. MILLER, GILLEN, PICKETT, GABLER,
MCGINNIS, SOLOMON, KORTZ, DAVIS, BARBIN AND JOZWIAK,
JANUARY 23, 2017

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, OCTOBER 15, 2018

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in obstructing governmental
3 operations, providing for unlawful use of an audio or video
4 device in court.

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 § 5103.1. Unlawful use of an audio or video device in court.

10 (a) Offense defined.--A person commits a misdemeanor of the <--
11 second degree AN OFFENSE if the person in any manner and for any <--
12 purpose uses or operates a device to capture, record, transmit
13 or broadcast a photograph, video, motion picture or audio of a
14 proceeding or person within a hearing room, courtroom JUDICIAL <--
15 FACILITY or the environs of a hearing room or courtroom IN AN <--
16 AREA ADJACENT TO OR IMMEDIATELY SURROUNDING A JUDICIAL FACILITY
17 without the approval of the court or presiding judicial officer

1 or except as provided by rules of court.

2 (B) GRADING.-- <--

3 (1) AN OFFENSE UNDER THIS SECTION SHALL CONSTITUTE A
4 MISDEMEANOR OF THE SECOND DEGREE.

5 (2) A SECOND OR SUBSEQUENT OFFENSE SHALL CONSTITUTE A
6 MISDEMEANOR OF THE FIRST DEGREE.

7 ~~(b)~~ (C) Definition.--As used in this section, the term <--

8 "environs" means the area immediately surrounding any entrance <--

9 or exit. "JUDICIAL FACILITY" MEANS A COURTROOM, HEARING ROOM OR <--

10 JUDICIAL CHAMBERS USED BY THE COURT TO CONDUCT TRIALS OR

11 HEARINGS OR ANY OTHER COURT-RELATED BUSINESS OR ANY OTHER ROOM

12 MADE AVAILABLE TO INTERVIEW WITNESSES. THE TERM DOES NOT INCLUDE

13 THE PENNSYLVANIA STATE CAPITOL BUILDING EXCEPT FOR THAT PORTION

14 OF THE PENNSYLVANIA STATE CAPITOL BUILDING DESIGNATED BY THE

15 COURT ADMINISTRATOR OF PENNSYLVANIA, UNDER THE AUTHORITY OF THE

16 SUPREME COURT, AS A JUDICIAL FACILITY.

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