
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1538 Session of
2015

INTRODUCED BY WHITE AND BLOOM, SEPTEMBER 11, 2015

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 11, 2015

AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania
2 Consolidated Statutes, adding provisions for law enforcement
3 activities by providing for release of law enforcement
4 officer information when firearm discharged or use of force.

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

7 Section 1. Part I of Title 44 of the Pennsylvania
8 Consolidated Statutes is amended by adding a chapter to read:

9 CHAPTER 5

10 LAW ENFORCEMENT ACTIVITIES

11 Subchapter A

12 Preliminary Provisions

13 (Reserved)

14 Subchapter B

15 General Provisions

16 Sec.

17 511. Release of law enforcement officer information when
18 firearm discharged or use of force.

19 § 511. Release of law enforcement officer information when

1 firearm discharged or use of force.

2 (a) General rule.--Pending the conclusion of an official
3 investigation that involves the discharge of a firearm or use of
4 force by a law enforcement officer during the performance of the
5 law enforcement officer's official duties, the name and
6 identifying information of the law enforcement officer may not
7 be released to the public by any public official or public
8 employee conducting or participating in the official
9 investigation or any person acting on behalf of such public
10 official or public employee.

11 (b) Conclusion of official investigation.--After the
12 official investigation concludes:

13 (1) The law enforcement officer's name and identifying
14 information may be released to the public only if the law
15 enforcement officer is charged with a criminal offense
16 relating to the discharge of the firearm or use of force. The
17 release of the information must occur in accordance with
18 applicable law.

19 (2) The law enforcement officer's name and identifying
20 information may not be released to the public, if:

21 (i) the law enforcement officer is not charged with
22 a criminal offense relating to the discharge of the
23 firearm or use of force; and

24 (ii) the release of the information can reasonably
25 be expected to cause harm to the person or property of
26 the law enforcement officer or an immediate family member
27 of the law enforcement officer.

28 (c) Definitions.--The following words and phrases when used
29 in this section shall have the meanings given to them in this
30 subsection unless the context clearly indicates otherwise:

1 "Immediate family member." The spouse, child, parent or
2 sibling of a law enforcement officer.

3 "Law enforcement officer." The term shall have the meaning
4 given to the term "peace officer" in section 501 (relating to
5 definitions).

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