
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2804 Session of
2020

INTRODUCED BY DIAMOND, BOBACK, DAVANZO, JAMES, MILLARD,
B. MILLER, MOUL, READSHAW, RYAN AND STAATS, AUGUST 18, 2020

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, AUGUST 18, 2020

AN ACT

1 Requiring cell phones and devices utilizing Internet protocol-
2 enabled service to obtain authorization by end-use consumers
3 prior to transmitting certain information.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the End-Use
8 Consumer Authorization Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "End-use consumer." A retail consumer of electronic goods.

14 "Internet protocol-enabled service." A service, capability,
15 functionality or application provided using Internet protocol or
16 any successor protocol that enables an end user to send or
17 receive a communication in Internet protocol format or any
18 successor format, regardless of whether the communication is

1 voice, data or video.

2 Section 3. Authorization required to transmit certain
3 information.

4 (a) General rule.--A cell phone or device utilizing Internet
5 protocol-enabled service sold in this Commonwealth shall require
6 explicit authorization by the end-user consumer before
7 transmitting the following information:

8 (1) Location or global positioning system data.

9 (2) Images or photographs from equipment on the device.

10 (3) Audio files or data from a microphone on the device.

11 (b) Authorization.--A one-time clear and affirmative
12 authorization shall fulfill the requirement under subsection
13 (a).

14 (c) Exception to authorization.--A distinct application or
15 system service utilizing the capabilities specified in
16 subsection (a) shall require a separate one-time clear and
17 affirmative authorization.

18 Section 4. Violations.

19 A violation of this act shall be deemed a per se violation of
20 the act of December 17, 1968 (P.L.1224, No.387), known as the
21 Unfair Trade Practices and Consumer Protection Law.

22 Section 5. Effective date.

23 This act shall take effect in 60 days.