

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 475

Session of
1979

INTRODUCED BY REED, BORSKI, GRAY, McMONAGLE, MANMILLER, PICCOLA
AND ZITTERMAN, MARCH 5, 1979

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 5, 1979

AN ACT

1 Amending the act of July 19, 1957 (P.L.1017, No.451), entitled
2 "An act prohibiting advisors, consultants, officers and
3 employes of the Commonwealth, the Pennsylvania Turnpike
4 Commission and State authorities, from having adverse
5 interests in certain contracts; prohibiting employes thereof
6 from representing other persons in certain circumstances; and
7 prescribing penalties," redefining certain terms.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Clauses (5) and (6) of section 2, act of July 19,
11 1957 (P.L.1017, No.451), known as the "State Adverse Interest
12 Act," are amended to read:

13 Section 2. The following terms shall have the following
14 meanings, when used in this act:

15 * * *

16 (5) "Contract." A contract or arrangement for the
17 acquisition, use or disposal by a State agency of services or of
18 supplies, materials, equipment, land or other personal or real
19 property. The term "contract" shall not mean an agreement
20 between the Commonwealth or a State agency as one party and [a

1 State advisor, consultant or employe] another State agency,
2 political subdivision or instrumentality of the State as the
3 other party. It shall not mean an agreement between the
4 Commonwealth or a State agency as one party and a State advisor,
5 consultant, or employe as the other party, concerning his
6 expense, reimbursement, fee, salary, wage, retirement benefit,
7 tenure or other matters touching his personal service to the
8 Commonwealth or State agency.

9 (6) "Have an Adverse Interest." Be the party to a contract,
10 as herein defined, other than the Commonwealth or a State agency
11 or be a stockholder, partner, member, agent, representative or
12 employe of such party except that this definition shall not
13 apply where it can be shown that no personal pecuniary gain will
14 result by being a party to a contract, as defined in this
15 section.

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