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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2100 Session of  
2018

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INTRODUCED BY DAVIS, McCLINTON, FRANKEL, D. MILLER, NEILSON,  
CALTAGIRONE, MURT, BARRAR, BERNSTINE, HILL-EVANS, KAUFER,  
J. McNEILL, SOLOMON, DEAN, A. DAVIS, COMMITTA, MULLERY,  
DeLUCA, WARREN AND CONKLIN, APRIL 6, 2018

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 6, 2018

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AN ACT

1 Prohibiting certain gifts to members of the General Assembly.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Prohibition of certain gifts and favors.

5 Except as provided in section 2, no member of the General

6 Assembly may solicit or accept for the personal use of the

7 member or another individual a gift, gratuity, favor,

8 entertainment, hospitality, loan or other thing of monetary

9 value, including in-kind gifts, from a person who:

10 (1) Seeks to obtain business from or has financial  
11 relations with the General Assembly or the Commonwealth.

12 (2) Conducts operations or activities that are regulated  
13 by the General Assembly or the Commonwealth.

14 (3) Engages, either as principal or attorney, in  
15 proceedings before the Commonwealth or in court proceedings  
16 in which a member, the General Assembly or the Commonwealth

1 is an adverse party.

2 (4) Has interests that may be substantially affected by  
3 the performance or nonperformance of the official duty of the  
4 member.

5 Section 2. Applicability.

6 The provisions of section 1 shall not apply to:

7 (1) The solicitation or acceptance of something of  
8 monetary value from a friend, parent, spouse, child or other  
9 close relative of a member of the General Assembly under  
10 circumstances which make it clear that the gift is motivated  
11 by a family relationship or personal friendship rather than  
12 the position or official duties of the member. Relevant  
13 factors in making this determination include the history of  
14 the relationship, including whether the friendship predates  
15 the member's first term elected to the General Assembly and  
16 whether the family member or friend pays for the gift.

17 (2) The acceptance of loans from banks or other  
18 financial institutions on customary terms of finance for  
19 proper and usual activities, including home-mortgage loans.

20 (3) Participation in widely attended gatherings free of  
21 charge when members have been invited and are acting in  
22 furtherance of the member's official duties. This paragraph  
23 shall not apply to the acceptance of food or drink without a  
24 member's payment at market value.

25 Section 3. Effective date.

26 This act shall take effect in 60 days.