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Senate of Pennsylvania

JOHN H. EICHELBERGER, JR.
30TH DISTRICT

May 8, 2009

TO: All Senators
FROM: John H. Eichelberger, Jr. 
SUBJECT: Co-Sponsorship of SB 812- Gaming and Political Contributions

On April 21st, I sent out an invitation for co-sponsorship of Senate Bill 812, a bill pertaining to campaign contributions by those connected to the gaming industry. On April 30th, the Pennsylvania Supreme Court issued its opinion in the case of DePaul v. Commonwealth, in which it ruled that the current contribution limits in Title 4 are unconstitutional.

In light of the volume and liquidity of money generated by the gaming industry, and the inherent potential for abuse, I still believe it necessary to have contribution restrictions, and to also prevent casino operators from making unlawful contributions indirectly through paid lobbyists or other entities (which was the original intent of my legislation). Therefore, I still plan to introduce Senate Bill 812 with alternative changes to address the DePaul decision.

In that regard, I plan to make the following two additions to Senate Bill 812 to address the concerns of the Supreme Court: 1) impose a \$500 maximum contribution limit, and 2) place that limit on campaigns related to offices whose purview may involve regulation of a gaming operation. I have attached a copy of the new proposed language for Senate Bill 812.

If you would like to co-sponsor this revised version of Senate bill 812 or have any questions, please feel free to contact Lee Derr of my office at 787-5490, or by email at lderr@pasen.gov.

JHE:ld

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HUNGER CAUCUS
LEGISLATIVE TASK FORCE - DISTRIBUTION
AND USE OF METHADONE
SENATE FIREFIGHTERS AND
EMERGENCY SERVICES CAUCUS

AN ACT

Amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for restrictions on contributions.

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

Section 1. Section 1513 of Title 4 of the Pennsylvania Consolidated Statutes, amended November 1, 2006 (P.L.1243, No.135), is amended to read:

§ 1513. Political influence.

(a) Contribution restriction.--The following persons shall be prohibited from contributing any money or in-kind contribution in excess of \$500 to a candidate for nomination or election to any public office ~~in this Commonwealth~~ enumerated in subsection (e), or to any political party committee or other political committee in this Commonwealth or to any group, committee or association organized in support of a candidate[,]or former candidate, ~~political party committee or other political committee in this Commonwealth~~ for such office:

(1) An applicant for a slot machine license, manufacturer license, supplier license, principal license, key employee license or horse or harness racing license.

(2) A slot machine licensee, licensed manufacturer, licensed supplier or licensed racing entity.

(3) A licensed principal or licensed key employee of a slot machine licensee, licensed manufacturer, licensed supplier or licensed racing entity.

(4) An affiliate, intermediary, subsidiary or holding company of a slot machine licensee, licensed manufacturer, licensed supplier or licensed racing entity.

(5) A licensed principal or licensed key employee of an affiliate, intermediary, subsidiary or holding company of a slot machine licensee, licensed manufacturer, licensed supplier or licensed racing entity.

(6) A person who holds a similar gaming license in another jurisdiction and the affiliates, intermediaries, subsidiaries, holding companies, principals or key employees thereof.

(7) A licensed entity representative or a registered lobbyist for a licensed entity or applicant.

(a.1) Contributions to certain associations and organizations ~~[barred]~~included.--The individuals prohibited from making political contributions The limits on contributions under subsection (a) shall ~~not make a~~ include any political contribution of

money or an in-kind contribution to any association or organization, including a nonprofit organization, that has been solicited by, or ~~knowing that the contribution or a portion thereof will be contributed to, the~~ will contribute to, an elected official, executive-level public employee or candidate for nomination or election to a public office ~~in this Commonwealth~~ enumerated in subsection (e).

(e) Offices to which restrictions apply. The restrictions contained in this section shall apply to the following public offices:

- (1) members of the General Assembly
- (2) members of the judiciary
- (3) Governor
- (4) Auditor General
- (5) Attorney General
- (6) Treasurer
- (7) Any local official in a city, borough, township, or county in which a gaming facility is located, and whose official duties include tax collection, assessment of property, criminal prosecution or land use. This shall include mayors, council members, commissioners, or supervisors.

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