

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1685 Session of
1979

INTRODUCED BY WILSON, SEPTEMBER 17, 1979

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 18, 1979

AN ACT

1 Amending the act of October 4, 1978 (P.L.883, No.170), entitled
2 "An act relating to conflicts of interest involving certain
3 public officials serving in State or State agencies and local
4 political subdivision positions and prohibiting certain
5 public employees from engaging in certain conflict of
6 interest activities requiring certain disclosures and
7 providing penalties," further providing for contracting with
8 governmental bodies by public officials and on the public
9 disclosure thereof, for the practice before certain State
10 agencies by former State employees, and for statements of
11 financial interests.

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

14 Section 1. Subsections (c) and (e) of section 3, and
15 paragraph (4) of subsection (b) of section 5, act of October 4,
16 1978 (P.L.883, No.170), referred to as the Public Official and
17 Employee Ethics Law, are amended to read:

18 Section 3. Restricted activities.

19 * * *

20 (c) (1) No public official or public employee or a
21 member of his immediate family or any business in which the
22 person or a member of the person's immediate family is a
23 director, officer, owner or holder of stock exceeding 5% of

1 the equity at fair market value of the business shall enter
2 into any contract [valued at \$500 or more] with [a] the
3 governmental body [unless the contract has been awarded
4 through an open and public process, including prior public
5 notice and subsequent public disclosure of all proposals
6 considered and contracts awarded] of which he is an official
7 or employee.

8 (2) A public official or public employee or a member of
9 his immediate family or any business in which the person or a
10 member of the person's immediate family is a director,
11 officer, owner or holder of stock exceeding 5% of the equity
12 at fair market value of the business may enter into any
13 contract with any other governmental body provided that there
14 is public disclosure within five days of the making of the
15 contract. Any contract made in violation of this subsection
16 shall be voidable by a court of competent jurisdiction if the
17 suit is commenced within 90 days of making of the contract,
18 provided that the disclosure requirement has been met. If
19 this requirement has not been met, such suit may be commenced
20 at any time.

21 * * *

22 [(e) No former official or public employee shall represent a
23 person, with or without compensation, on any matter before the
24 governmental body with which he has been associated for one year
25 after he leaves that body.]

26 (e) No official or public employee who is involved in
27 contracts, purchasing or rate-making shall for one year
28 subsequent to public employment, be employed by any person, firm
29 or corporation which contracts with supplies goods or services
30 to, or is under the jurisdiction of, the governmental body or

1 rate-making agency which employed the public official or
2 employee.

3 * * *

4 Section 5. Statement of financial interests.

5 * * *

6 (b) The statement shall include the following information
7 for the prior calendar year with regard to the person required
8 to file the statement and the members of his immediate family:

9 * * *

10 (4) The name and address of each creditor including
11 mortgagees to whom is owed in excess of \$5,000 and the
12 interest rate thereon where the interest rate, at the time of
13 the making of the loan or mortgage is lower than 2% below the
14 prime interest rate existing on that date. However, loans or
15 credit extended between members of the immediate family [and
16 mortgages securing real property which is the principal
17 residence of the person filing or of his spouse] shall not be
18 included.

19 * * *

20 Section 2. This act shall take effect immediately.