
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1770 Session of
2003

INTRODUCED BY MAHER, CLYMER, ARMSTRONG, DAILEY, HARPER,
HENNESSEY, RUBLEY, STEIL, TIGUE, GORDNER AND VANCE,
JUNE 30, 2003

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 30, 2003

AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania
2 Consolidated Statutes, reenacting and amending provisions
3 relating to lobby regulation and disclosure.

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

6 Section 1. Section 1301 of Title 65 of the Pennsylvania
7 Consolidated Statutes is reenacted to read:

8 § 1301. Short title of chapter.

9 This chapter shall be known and may be cited as the Lobbying
10 Disclosure Act.

11 Section 2. Sections 1302, 1303, 1304, 1305, 1306, 1307,
12 1308, 1309, 1310 and 1311 of Title 65 are reenacted and amended
13 to read:

14 § 1302. Statement of intent and jurisdiction.

15 [(a) Intent.--]The Constitution of Pennsylvania recognizes
16 the principle that all free government is founded upon the
17 authority of the people. It further provides that the power to
18 make law in this Commonwealth is vested in the General Assembly

1 and the power to enforce law is vested in the Executive
2 Department. The ability of the people to exercise their
3 fundamental authority and to have confidence in the integrity of
4 the process by which laws are made and enforced in this
5 Commonwealth demands that the identity and the scope of activity
6 of those employed to influence the actions of the General
7 Assembly and the Executive Department be publicly and regularly
8 disclosed.

9 [(b) Jurisdiction.--The authority to regulate persons
10 employed to influence the actions of the General Assembly and
11 the Executive Department lies within the jurisdiction of those
12 branches of government. To insure that the intent of this
13 chapter is not evaded and that all such persons are regulated in
14 a fair and equitable manner, lobbyists and the practice of
15 lobbying shall be subject to this chapter, which shall prevail
16 over any other regulation of professional activity when that
17 activity constitutes lobbying. This chapter is not intended to
18 govern professional activities which do not include lobbying and
19 which are properly the subject of regulation by the judicial
20 branch of government or by any government agency. Membership in
21 a regulated profession shall not excuse a lobbyist from
22 compliance with the provisions of this chapter.]

23 § 1303. Definitions.

24 The following words and phrases when used in this chapter
25 shall have the meanings given to them in this section unless the
26 context clearly indicates otherwise:

27 "Administrative action." Any of the following:

28 (1) An agency's:

29 (i) proposal, consideration, promulgation or
30 rescission of a regulation;

(ii) development or modification of a guideline or a statement of policy; or

(iii) approval or rejection of a regulation.

(2) The review, revision, approval or disapproval of a regulation under the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(3) The Governor's approval or veto of legislation.

(4) The nomination or appointment of an individual as an officer or employee of the Commonwealth.

(5) The proposal, consideration, promulgation or rescission of an executive order.

"Affiliated political action committee." A political action committee as defined in section 1621(1) of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, which has a chairman, a treasurer or another officer who is a principal, an employee of a principal, a lobbyist or an employee of a lobbyist, provided if an employee of a registrant serves as the officer of a political action committee in what is clearly a personal capacity and the goals and mission of that political action committee clearly have no relationship to the goals and mission of the registrant, such political action committee shall not be considered an affiliated political action committee for the purposes of this definition.

"Agency." A State agency, board, commission, authority or department.

"Commission." The State Ethics Commission.

"Compensation." Anything of value, including benefits, received or to be received from a principal by one acting as a lobbyist.

["Direct communication." An effort, whether written, oral or

1 by any other medium, made by a lobbyist or principal, directed
2 to a State official or employee, the purpose or foreseeable
3 effect of which is to influence legislative action or
4 administrative action.]

5 "Economic consideration." Anything of value offered or
6 received.

7 "Fund." The Lobbying Disclosure Fund established in section
8 1310(b) (relating to filing fees; fund established;
9 regulations).

10 "Gift." As defined in section 1102 (relating to
11 definitions).

12 "Immediate family." An individual's spouse, an individual's
13 child and an individual's parent, brother, sister or like
14 relative-in-law.

15 ["Indirect communication." An effort, whether written, oral
16 or by any other medium, to encourage others, including the
17 general public, to take action, the purpose or foreseeable
18 effect of which is to directly influence legislative action or
19 administrative action. The term includes letter-writing
20 campaigns, mailings, telephone banks, print and electronic media
21 advertising, billboards, publications and educational campaigns
22 on public issues. The term does not include regularly published
23 periodic newsletters primarily designed for and distributed to
24 members of a bona fide association or charitable or fraternal
25 nonprofit corporation.]

26 "Legislation." Bills, resolutions, amendments and
27 nominations pending or proposed in either the Senate or the
28 House of Representatives. The term includes any other matter
29 which may become the subject of action by either chamber of the
30 General Assembly.

1 "Legislative action." An action taken by a State official or
2 employee involving the preparation, research, drafting,
3 introduction, consideration, modification, amendment, approval,
4 passage, enactment, tabling, postponement, defeat or rejection
5 of legislation; legislative motions; overriding or sustaining a
6 veto by the Governor; or confirmation of appointments by the
7 Governor or of appointments to public boards or commissions by a
8 member of the General Assembly.

9 "Lobbying." An effort to influence legislative action or
10 administrative action. The term includes:

11 (1) providing any gift, entertainment, meal,
12 transportation or lodging to a State official or employee for
13 the purpose of advancing the interest of the lobbyist or
14 principal; and

15 (2) [direct or indirect] reportable communication.

16 "Lobbyist." Any individual, firm, association, corporation,
17 partnership, business trust or business entity that engages in
18 lobbying on behalf of a principal for economic consideration.

19 [The term includes an attorney who engages in lobbying.]

20 "Principal." Any individual, firm, association, corporation,
21 partnership, business trust or business entity:

22 (1) on whose behalf a lobbyist influences or attempts to
23 influence an administrative action or a legislative action;
24 or

25 (2) that engages in lobbying on the principal's own
26 behalf.

27 "Registrant." A [registered lobbyist or a] registered
28 principal.

29 "Regulation." Any rule, regulation or order in the nature of
30 a rule or regulation, including formal and informal opinions of

1 the Attorney General, of general application and future effect,
2 promulgated by an agency under statutory authority in the
3 administration of a statute administered by or relating to the
4 agency, or prescribing the practice or procedure before the
5 agency.

6 "Reportable communication." An effort, whether written,
7 oral, or by any other medium, made by a lobbyist engaged in
8 lobbying on behalf of a principal or by a principal, directed to
9 a State official or employee, or directed to others, including
10 the general public, to take action, the purpose or foreseeable
11 effect of which is to directly influence legislative action or
12 administrative action. The term includes letter-writing
13 campaigns, mailings, telephone banks, print and electronic media
14 advertising, billboards, publications and educational campaigns
15 on public issues. The term does not include regularly published
16 periodic newsletters primarily designed for and distributed to
17 members of a bona fide association or charitable or fraternal
18 nonprofit corporation.

19 "State official or employee." An individual elected or
20 appointed to a position in State government or employed by State
21 government, whether compensated or uncompensated, who is
22 involved in legislative action or administrative action.

23 § 1304. Registration.

24 (a) General rule.--Unless excluded under section 1306
25 (relating to exemption from registration and reporting), [a
26 lobbyist or] a principal must register with the commission
27 within ten days of acting in any capacity as a lobbyist or
28 principal. Registration shall be biennial and be coincident with
29 the terms of the members of the House of Representatives.

30 (b) Principals.--

1 (1) A principal required to register shall file the
2 following information with the commission:

3 (i) Name.

4 (ii) Permanent address.

5 (iii) Daytime telephone number.

6 (iv) Name and nature of business.

7 (v) Name, registration number and acronyms of
8 affiliated political action committees.

9 (vi) Name and permanent business address, daytime
10 telephone number and a recent photograph of each
11 individual who will for economic consideration engage in
12 lobbying on the principal's behalf.

13 (2) If an organization or association is a principal,
14 the number of dues-paying members in the past calendar year
15 shall also be disclosed.

16 [(c) Lobbyist.--

17 (1) A lobbyist who is required to register shall file
18 the following information with the commission:

19 (i) Name.

20 (ii) Permanent business address.

21 (iii) Daytime telephone number.

22 (iv) A recent picture of the lobbyist.

23 (v) Name, permanent business address and daytime
24 telephone number of the principal the lobbyist
25 represents.

26 (vi) Name, registration number and acronyms of
27 affiliated political action committees.

28 (2) Each lobbyist shall file a separate registration
29 statement for each principal he or she represents.]

30 (d) Amendments.--

1 (1) When there is a change of information required for
2 the registration statement under subsection (b)(1) [or (c)],
3 an amended statement shall be filed with the commission
4 within 14 days after the change occurs.

5 (2) When there is a change in information required for
6 the registration statement under subsection (b)(2), an
7 amended statement shall be filed with the commission within
8 14 days of the end of the year in which the change occurs.

9 (e) Termination.--A [lobbyist or a] principal may terminate
10 registration by filing notice with the commission. Within 30
11 days of filing the notice, the [lobbyist or] principal shall
12 file a termination report, which shall include all information
13 required by section 1305 (relating to reporting) through the
14 final day of lobbying activity. After a reasonable review of the
15 termination report but not later than 90 days after receipt of
16 the notice, the commission shall issue to the [lobbyist or]
17 principal a letter stating that the registrant has terminated
18 registration. The filing of notice or a termination report shall
19 not affect the commission's authority to conduct investigations
20 and hearings pursuant to section 1308(h) (relating to
21 administration and enforcement). No lobbying may occur after the
22 filing of notice unless the lobbying is pursuant to a separate
23 registration statement which is filed with the commission and
24 which, at the time of the lobbying, has not been terminated.

25 § 1305. Reporting.

26 (a) General rule.--A [lobbyist as required by subsection
27 (b)(6) or a] registered principal shall, under oath or
28 affirmation, file quarterly expense reports with the commission.

29 (b) Content.--

30 (1) Reports must list the names of all lobbyists on

1 behalf of principals by whom the lobbying is conducted and
2 the general subject matter or issue being lobbied.

3 (2) Expense reports must contain the following
4 categories:

5 [(i) A single aggregate good faith estimate of the
6 total amount spent for personnel and office expenses
7 related to lobbying. This subparagraph includes salaries
8 and other forms of compensation, benefits, vehicle
9 allowances, bonuses and reimbursable expenses for those
10 involved in lobbying. If compensation is to be reported
11 by or for an individual or entity whose lobbying is
12 incidental to regular employment, it shall be sufficient
13 to report a good faith prorated estimate based on the
14 value of the time devoted to lobbying. Reportable
15 personnel costs include costs for lobbying staff,
16 research and monitoring staff, consultants, lawyers,
17 lobbyists, publications and public relations staff,
18 technical staff and clerical and administrative support
19 staff who engage in lobbying but are exempt from
20 reporting under section 1306(6) (relating to exemption
21 from registration and reporting). This subparagraph
22 includes costs for offices, equipment and supplies
23 utilized for lobbying.

24 (ii) A single aggregate good faith estimate of the
25 total amount spent for direct communication.]

26 (i) The total cost for reportable communication.

27 [(iii)] (ii) The total costs for gifts, entertainment,
28 meals, transportation, lodging and receptions given to or
29 provided to State officials or employees or their
30 immediate families.

1 [(iv) A single aggregate good faith estimate of the
2 total amount spent for indirect communication.]

3 (3) In addition to reporting the totals required under
4 this subsection, the expense report must identify, by name,
5 position and each occurrence, a State official or employee
6 who receives from a principal or lobbyist anything of value
7 which must be included in the statement under section
8 1105(b)(6) or (7) (relating to statement of financial
9 interests) as implemented by section 1105(d).

10 (i) For purposes of this chapter, the amount
11 referred to in section 1105(b)(7) shall be considered an
12 aggregate amount per year.

13 (ii) Written notice must be given to each public
14 official or employee of inclusion in the expense report
15 within seven days of the report's submission to the
16 commission. Notice under this subparagraph shall include
17 the information which will enable the public official or
18 employee to comply with section 1105(b)(6) and (7). For
19 purposes of this chapter and Chapter 11 (relating to
20 ethics standards and financial disclosure), section
21 1105(b)(6) and (7) shall constitute mutually exclusive
22 categories.

23 (iii) Regulations shall be promulgated under section
24 1310(c) (relating to filing fees; fund established;
25 regulations) to define mutually exclusive categories
26 under section 1105(b)(6) and (7) and to determine whether
27 a thing of value is subject to disclosure under section
28 1105(b)(6) or (7).

29 (4) A lobbyist must sign the reports submitted by each
30 principal represented to attest to the validity and accuracy

1 to the best of the lobbyist's knowledge. A lobbyist may
2 attach a statement to the report of any principal, describing
3 the limits of the lobbyist's knowledge concerning the
4 expenditures contained in the report.

5 (5) The expense report shall also include the name,
6 permanent business address and daytime telephone number of
7 any individual, firm, association, corporation, partnership,
8 business trust or business entity which contributed more than
9 10% of the total resources received by the principal during
10 the reporting period.

11 [(6) A lobbyist shall submit a separate report if,
12 during the reporting period, the lobbyist engaged in lobbying
13 which was not contained in the reports filed by the principal
14 or principals represented by the lobbyist. A separate
15 lobbyist report shall contain the identity of the principal
16 for whom such lobbying was performed and shall contain all
17 information required under paragraphs (2) and (3).]

18 (7) A registered principal [or registered lobbyist] that
19 attempts, or that retains a lobbyist to attempt, to influence
20 an agency's preparing, bidding, entering into or approving a
21 contract shall ensure that the related expenses are included
22 under paragraph (2).

23 (c) Records retention.--A registrant shall retain all
24 documents reasonably necessary to substantiate the reports to be
25 made under this section for four years from the date of filing
26 the subject report. Upon request by the Office of the Attorney
27 General or the commission, these materials shall be made
28 available for inspection within a reasonable period of time.

29 (d) Thresholds for reporting.--An expense report shall be
30 filed when total expenses for lobbying exceed \$500 for a

1 registered principal [or a registered lobbyist] in a reporting
2 period. In a reporting period in which total expenses are \$500
3 or less, a statement to that effect shall be filed.

4 [(e) Voluntary disclosure.--Nothing in this section shall
5 prevent a principal or lobbyist from disclosing expenses in
6 greater detail than required.]

7 § 1306. Exemption from registration and reporting.

8 The following individuals and activities shall be exempt from
9 registration under section 1304 (relating to registration) and
10 reporting under section 1305 (relating to reporting):

11 (1) An individual who limits lobbying activities to
12 preparing testimony and testifying before a committee of the
13 legislature or participating in an administrative proceeding
14 of an agency.

15 (2) An individual who is an employee of an entity
16 engaged in the business of publishing, broadcasting or
17 televising while engaged in the gathering and dissemination
18 of news and comment thereon to the general public in the
19 ordinary course of business.

20 (3) Any of the following:

21 (i) An individual who does not receive compensation,
22 other than traveling expenses, for lobbying.

23 [(ii) An individual whose compensation for lobbying,
24 from all principals represented, does not exceed \$2,500
25 in the aggregate during any reporting period.]

26 (iii) An individual who engages in lobbying on
27 behalf of the individual's employer and where lobbying
28 activity represents less than the equivalent of \$2,500 of
29 the employee's time during any reporting period, based on
30 an hourly proration of the employee's compensation.

(iv) A principal whose total expenses for lobbying purposes do not exceed \$2,500 during any reporting period.

(4) Any of the following:

(i) An elected State officer acting in an official capacity.

(ii) A State executive officer appointed by the Governor acting in an official capacity.

(iii) An elected or appointed official or employee of a political subdivision acting in an official capacity.

(iv) An employee of the Commonwealth or independent agency of the Commonwealth acting in an official capacity.

(5) An individual representing a bona fide church or religious body of which the individual is a member and the purpose of the lobbying is solely for the purpose of protecting the constitutional right to the free exercise of religion.

(6) An employee[, who is not a registered lobbyist,] of a corporation which:

(i) is registered as a principal under section 1304;

(ii) has retained one or more [registered] lobbyists; and

(iii) includes in its reports under section 1305 all of the employee's expenses related to lobbying.

§ 1307. Prohibited activities.

(a) Contingent compensation.--

(1) No one may compensate or incur an obligation to compensate any lobbyist, principal or individual to engage in

1 lobbying for compensation contingent in whole or in part upon
2 any of the following:

3 (i) Passage or defeat, or approval or veto, of
4 legislation.

5 (ii) Occurrence or nonoccurrence of an
6 administrative action.

7 (2) No lobbyist, principal or individual may engage or
8 agree to engage in lobbying for compensation contingent in
9 whole or in part upon any of the following:

10 (i) Passage or defeat, or approval or veto, of
11 legislation.

12 (ii) Occurrence or nonoccurrence of an
13 administrative action.

14 (b) Political committees.--A lobbyist may not serve as a
15 treasurer or another officer for a candidate's political
16 committee or a candidate's political action committee when such
17 political committee or political action committee is required to
18 file reports authorized by Article XVI of the act of June 3,
19 1937 (P.L.1333, No.320), known as the Pennsylvania Election
20 Code, with the Secretary of the Commonwealth.

21 (c) Fee restrictions.--A [lobbyist] principal may not
22 [charge a fee or receive] render payment of a fee, compensation
23 or other economic consideration based upon an understanding,
24 either written or oral, that any part of the fee, compensation
25 or economic consideration will be converted into a contribution
26 to a candidate for public office or a political committee.

27 (d) Falsification.--No lobbyist or principal may, for the
28 purpose of influencing legislative action or administrative
29 action, transmit, utter or publish to any State official or
30 employee any communication, knowing that such communication or

1 any signature on the communication is false, forged, counterfeit
2 or fictitious.

3 § 1308. Administration and enforcement.

4 (a) Criminal enforcement.--If the commission believes an
5 intentional violation of this chapter has been committed, it
6 shall refer all relevant documents and other information to the
7 Office of Attorney General.

8 (b) Attorney General.--In addition to the authority
9 conferred upon the Attorney General under the act of October 15,
10 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act,
11 the Attorney General has the authority to investigate and
12 prosecute a violation of this chapter.

13 (c) Advice and opinions.--The commission shall provide
14 advice and opinions in accordance with procedures set forth in
15 section 1107 (relating to powers and duties of commission) to a
16 lobbyist, principal or State official or employee who has a
17 question regarding compliance with this chapter. A principal, a
18 lobbyist or an individual who acts in good faith based on the
19 written advice or opinion of the commission shall not be held
20 liable for a violation of this chapter.

21 (d) Public inspection and copying.--The commission shall
22 make completed registration statements, expense reports,
23 termination notices and termination reports which have been
24 filed with the commission available for public inspection and
25 provide copies of these documents at a price which shall not
26 exceed the actual cost of copying. Documents that are maintained
27 and reproducible in an electronic format shall be provided in
28 that format upon request.

29 (e) Annual reporting.--The commission shall prepare and
30 publish an annual report on lobbying activities in this

1 Commonwealth. The commission shall also annually publish a
2 listing of principals, identifying affiliated political action
3 committees and lobbyists, and a listing of lobbyists,
4 identifying affiliated political action committees and
5 principals.

6 (f) Retention of records.--Completed registration
7 statements, expense reports, termination notices and termination
8 reports shall remain on file with the commission for a four-year
9 period.

10 (g) Audits.--The commission shall initiate, by lottery,
11 random annual audits of the registration statements and
12 disclosure reports in sufficient number to ensure compliance
13 with this chapter. The audit report and findings shall be
14 confidential; however, the commission shall include the relevant
15 portion of an audit as part of its findings of fact in a
16 commission order which results from an investigation arising out
17 of an audit.

18 (h) Investigation and hearings.--The commission, through its
19 executive director, may initiate an investigation and hold a
20 hearing concerning [negligent conduct by a lobbyist or
21 principal] any alleged violation of this chapter in accordance
22 with sections 1107 and 1108 (relating to investigations by
23 commission).

24 (i) Directory.--On or before May 1 of each odd-numbered
25 year, the commission shall produce and distribute a directory of
26 all [registered] lobbyists retained by registered principals,
27 including photographs. Copies of this directory shall be made
28 available to the public at a price not to exceed the actual cost
29 of production. All revenue received by the commission from the
30 sales of this directory shall be deposited into the fund.

(j) Computer file.--The Legislative Data Processing Committee shall maintain updated registration statements, expense reports, termination notices and termination reports.

(k) Cost-of-living adjustment.--On a biennial basis commencing in January [2002] 2004, the commission shall review the threshold for reporting under section 1305(d) (relating to reporting) and the threshold for exemption under section 1306(3)(ii) through (iv) (relating to exemption from registration and reporting) and may increase these amounts to rates deemed reasonable for assuring appropriate disclosure. The commission shall publish any such adjusted threshold amounts in the Pennsylvania Bulletin by June 1, [2002] 2004, and every two years thereafter as necessary.

§ 1309. Penalties.

(a) Notice of noncompliance.--The commission shall issue a notice of noncompliance to any [lobbyist,] principal or individual that has failed to register or report as required by this chapter. The notice shall state the nature of the alleged noncompliance and the civil and criminal penalties for failure to register, failure to file or filing a report containing a false statement. The notice shall also advise of the right to a hearing before the commission and the time and manner in which to request a hearing.

(b) Hearing.--If a hearing is requested, the commission shall determine at the hearing whether the recipient of the notice is required to register or report under this chapter, whether the failure to register or report was negligent and, if the failure was negligent, the amount of the civil penalty to be imposed. If the commission finds that the failure to register or report was intentional, it shall refer the matter to the

1 Attorney General for investigation and prosecution. Hearings
2 under this subsection shall be conducted by the commission in
3 accordance with sections [1107(14)] 1107 (relating to powers and
4 duties of commission) and [1108(e)] 1108 (relating to
5 investigations by commission).

6 (c) Negligent failure to register or report.--Negligent
7 failure to register or report as required by this chapter is
8 punishable by a civil penalty not exceeding \$50 for each late
9 day. After a hearing under subsection (b), in the case of
10 negligent failure to register or report, the commission may,
11 upon the majority vote of its members, levy a civil penalty as
12 provided for in this subsection. The total amount of the civil
13 penalty levied shall not be limited by any other provision of
14 law. The commission shall have standing to apply to Commonwealth
15 Court to seek enforcement of an order imposing a civil penalty
16 under this section.

17 (d) Failure to comply after notice.--After notice of
18 noncompliance and after a hearing, if one is requested, a
19 lobbyist or principal who fails to comply with the requirements
20 of this chapter may be prohibited from lobbying for up to five
21 years. The prohibition shall be imposed as provided by
22 subsection (e)(4).

23 (e) Intentional violations.--

24 (1) Any [lobbyist,] principal or individual that
25 intentionally fails to register or report as required by this
26 chapter commits a misdemeanor of the second degree.

27 (2) A registrant that files a report under this chapter
28 with knowledge that the report contains a false statement
29 commits a misdemeanor of the second degree.

30 (3) Except as set forth in paragraph (1) or (2), any

1 lobbyist, principal or individual that intentionally violates
2 this chapter commits a misdemeanor of the third degree.

3 (4) In addition to the criminal penalties imposed by
4 this subsection, the commission may prohibit a lobbyist or
5 principal from lobbying for up to five years for doing an act
6 which constitutes an offense under this subsection. No
7 criminal prosecution or conviction shall be required for the
8 imposition of the prohibition authorized by this paragraph.
9 The prohibition under this paragraph shall not be imposed
10 unless the defendant has been afforded the opportunity for a
11 hearing, which shall be conducted by the commission in
12 accordance with sections 1107(14) and 1108(e).

13 § 1310. Filing fees; fund established; regulations.

14 (a) Filing fees.--A principal or lobbyist required to be
15 registered under this chapter shall pay a biennial filing fee of
16 \$100 to the commission.

17 (b) Fund established.--All money received from filing fees
18 under subsection (a) shall be deposited in a restricted receipts
19 account to be known as the Lobbying Disclosure Fund. The money
20 deposited in the fund is hereby appropriated to the commission
21 as a continuing appropriation for the exclusive purpose of
22 carrying out the provisions of this chapter.

23 (c) Regulations.--A committee comprised of the Secretary of
24 the Senate, the Chief Clerk of the House of Representatives, the
25 chairman of the State Ethics Commission, the Attorney General,
26 the Secretary of the Commonwealth, the Auditor General [and],
27 the General Counsel, a member of the Senate appointed by the
28 President pro tempore of the Senate and a member of the House of
29 Representatives appointed by the Speaker of the House of
30 Representatives, or their designees, shall have continuing

1 authority to promulgate regulations necessary to carry out this
2 chapter. The chairman of the commission shall be designated as
3 the chairman of the committee. The initial proposed regulations
4 shall be submitted within 180 days of the effective date of this
5 section to the Independent Regulatory Review Commission under
6 section 5 of the act of June 25, 1982 (P.L.633, No.181), known
7 as the Regulatory Review Act. Any meeting at which the committee
8 plans to approve proposed regulations shall be held in
9 accordance with Chapter 7 (relating to open meetings). The
10 committee shall also prepare and publish a manual setting forth
11 guidelines for accounting and reporting. The regulations and
12 manual shall be drafted to accommodate the use of computerized
13 recordkeeping, electronic filing of the reports provided for
14 under this chapter and retention of registration statements and
15 reports provided for under this chapter by electronic means. The
16 Department of State shall provide sufficient staff and other
17 administrative support to assist the committee.

18 § 1311. Severability.

19 [(a) General rule.--Except as provided in subsection (b):

20 (1)] The provisions of this chapter are severable.

21 [(2)] If any provision of this chapter or its
22 application to any person or circumstance is held invalid,
23 the invalidity shall not affect other provisions or
24 applications of this chapter which can be given effect
25 without the invalid provision or application.

26 [(b) Practice of law.--If any provision of this chapter or
27 its application to any person or circumstance is held invalid on
28 the basis of improper regulation of the practice of law, the
29 remaining provisions or applications of this chapter are void.]

30 Section 3. This act shall take effect immediately.