

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1772 Session of  
2003

INTRODUCED BY LEVDANSKY, BROWNE, STEIL, DeWEESE, FREEMAN, MUNDY,  
TIGUE, McGEEHAN, TANGRETTI, JOSEPHS, GERGELY, MELIO, GRUCELA,  
DALEY, WALKO AND PALLONE, JUNE 30, 2003

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 30, 2003

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled  
2 "An act concerning elections, including general, municipal,  
3 special and primary elections, the nomination of candidates,  
4 primary and election expenses and election contests; creating  
5 and defining membership of county boards of elections;  
6 imposing duties upon the Secretary of the Commonwealth,  
7 courts, county boards of elections, county commissioners;  
8 imposing penalties for violation of the act, and codifying,  
9 revising and consolidating the laws relating thereto; and  
10 repealing certain acts and parts of acts relating to  
11 elections," providing for contribution limitations and  
12 independent expenditures.

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

15 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known  
16 as the Pennsylvania Election Code, is amended by adding a  
17 section to read:

18 Section 1627.1. Limitations on Certain Contributions.--

19 (a) Aggregate contributions, including in-kind  
20 contributions, from any person to any candidate for the office  
21 of Senator or Representative in the General Assembly, court of  
22 common pleas or a county or local office, his authorized

committee or agent shall not exceed two hundred dollars (\$200) for each election. Furthermore, for each election, no such candidate, his authorized committee or agent shall accept or receive more than two hundred dollars (\$200) in aggregate contributions, including in-kind contributions from any person.

(b) Aggregate contributions, including in-kind contributions, from any person to any candidate for Statewide office, his authorized committee or agent shall not exceed two thousand dollars (\$2,000) for each election. Furthermore, for each election, no candidate, his authorized committee or agent shall accept or receive more than two thousand dollars (\$2,000) in aggregate contributions, including in-kind contributions from any person.

(c) Aggregate contributions, including in-kind contributions, from a single political action committee, its affiliate or agent or candidate's political committee, its affiliate or agent to any candidate for the office of Senator or Representative in the General Assembly, court of common pleas or a county or local office, his authorized committee or agent shall not exceed one thousand dollars (\$1,000) for each election. Furthermore, for each election, no candidate for such office, his authorized committee or agent shall accept or receive more than one thousand dollars (\$1,000) in aggregate contributions, including in-kind contributions, from single political action committee or agent or candidate's political committee.

(d) Aggregate contributions, including in-kind contributions, from single political action committee, its affiliate or agent or candidate's political committee to any candidate for Statewide office, his authorized committee or

1 agent shall not exceed ten thousand dollars (\$10,000) for each  
2 election. Furthermore, for each election, no candidate, his  
3 authorized committee or agent shall accept or receive more than  
4 ten thousand dollars (\$10,000) in aggregate contributions,  
5 including in-kind contributions, from a single political action  
6 committee, its affiliate or agent or candidate's political  
7 committee.

8 (e) Aggregate contributions, including in-kind  
9 contributions, from a single political party committee, its  
10 affiliate or agent to any candidate for the office of Senator or  
11 Representative in the General Assembly, court of common pleas or  
12 a county or local office, his authorized committee or agent,  
13 shall not exceed five thousand dollars (\$5,000) per election.  
14 Furthermore, no candidate for the office of Senator or  
15 Representative in the General Assembly, court of common pleas or  
16 a county or local office, his authorized committee or agent,  
17 shall accept or receive more than five thousand dollars (\$5,000)  
18 in aggregate contributions from any single political party  
19 committee, its affiliate or agent.

20 (f) Aggregate contributions, including in-kind  
21 contributions, from a single political party committee, its  
22 affiliate or agent to any candidate for Statewide office, his  
23 authorized committee or agent, or any political action  
24 committee, its affiliate or agent or political party committee,  
25 its affiliate or agent, or any other political committee, its  
26 affiliate or agent, shall not exceed twenty thousand dollars  
27 (\$20,000) per election. Furthermore, no candidate for Statewide  
28 office, his authorized committee or agent or any political  
29 action committee or political committee shall accept or receive  
30 more than twenty thousand dollars (\$20,000) in aggregate

1 contributions from any single political party committee, its  
2 affiliate or agent.

3 (g) Aggregate contributions, including in-kind  
4 contributions, from any person or a single political action  
5 committee, its affiliate or agent or any single candidate's  
6 political committee, its affiliate or agent to a single  
7 political action committee, its affiliate or agent shall not  
8 exceed five thousand dollars (\$5,000) during any calendar year.  
9 Furthermore, for each election, no political action committee,  
10 its affiliate or agent shall accept or receive more than five  
11 thousand dollars (\$5,000) in aggregate contributions, including  
12 in-kind contributions, from a single political action committee,  
13 its affiliate or agent during any calendar year.

14 (h) Aggregate contributions from any person, a single  
15 candidate's political committee, its affiliate or agent or a  
16 single political action committee, its affiliate or agent or any  
17 other political committee to a single political party committee  
18 shall not exceed twenty thousand dollars (\$20,000) in a calendar  
19 year. Furthermore, no single political party committee shall  
20 accept or receive more than twenty thousand dollars (\$20,000) in  
21 aggregate contributions from any single candidate's political  
22 committee or agent or a single political action committee, its  
23 affiliate or agent or any political committee.

24 (i) No person shall make contributions in accordance with  
25 this section aggregating more than twenty-five thousand dollars  
26 (\$25,000) in any calendar year.

27 (j) A gift, subscription, loan, advance or deposit of money  
28 or anything of value to a candidate shall be considered a  
29 contribution both by the original source of the contribution and  
30 by any intermediary or conduit if the intermediary or conduit:

1     (1) exercises any direction over the making of the  
2 contribution; or

3     (2) solicits the contribution or arranges for the  
4 contribution made and directly or indirectly makes the candidate  
5 aware of such intermediary or conduit's role in soliciting or  
6 arranging the contribution for the candidate.

7     (k) For purposes of subsection (j), a contribution shall not  
8 be considered to be a contribution by an intermediary or conduit  
9 to the candidate if:

10     (1) the intermediary or conduit has been retained by the  
11 candidate's committee for the purpose of fundraising and is  
12 reimbursed for expenses incurred in soliciting contributions;

13     (2) in the case of an individual, the candidate has  
14 expressly authorized the intermediary or conduit to engage in  
15 fundraising, or the individual occupies a significant position  
16 within the candidate's campaign organization; or

17     (3) in the case of a political committee, the intermediary  
18 or conduit is the authorized committee of the candidate.

19     (l) No candidate for Statewide office who accepts public  
20 funding, if a system of public funding of campaigns is in  
21 effect, may contribute more than \$25,000 per election from their  
22 personal funds. No candidate for the offices of Senator or  
23 Representative in the General Assembly who accepts public  
24 funding, if a system for public funding of campaigns is in  
25 effect, may contribute more than ten thousand dollars (\$10,000)  
26 per election from their personal funds.

27     (m) The provisions of this section are applicable to any  
28 contribution made for the purpose of influencing any election to  
29 all public offices except Federal offices.

30     (n) For purposes of this section, any contribution made to a

1 candidate in a year other than the calendar year in which the  
2 election is held with respect to which such contribution is  
3 made, is considered to be made during the calendar year in which  
4 such election is held.

5       Section 2. The dollar figures contained in section 1627.1 of  
6 the act shall be adjusted annually at a rate equal to the  
7 average percentage change in the All-Urban Consumer Price Index  
8 for the Pittsburgh, Philadelphia and Scranton standard  
9 metropolitan statistical areas as published by the Bureau of  
10 Labor Statistics of the United States Department of Labor, or  
11 any successor agency, occurring in the prior calendar year. The  
12 base year shall be 2003. The average shall be calculated and  
13 certified annually by the Pennsylvania State Board of Elections  
14 by adding the percentage increase in each of the three areas and  
15 dividing by three. The calculation and resulting new figures  
16 shall be published for the dollar figures contained in section  
17 1627.1 of the act in March in the Pennsylvania Bulletin.

18       Section 3. The provisions of this act are severable. If any  
19 provision of this act or its application to any person or  
20 circumstance is held invalid, the invalidity shall not affect  
21 other provisions or applications of this act which can be given  
22 effect without the invalid provision or application.

23       Section 4. This act shall take effect in 120 days.