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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1994 Session of  
2014

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INTRODUCED BY LAWRENCE, METCALFE, CUTLER, GODSHALL, TRUITT,  
SACCONI, BLOOM, KAUFFMAN, MILLARD, SANKEY, KNOWLES, BAKER,  
R. MILLER, ROCK, MOUL, CLYMER, GROVE, DENLINGER, COX, MURT  
AND TOOHL, MARCH 17, 2014

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 17, 2014

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AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania  
2 Consolidated Statutes, in ethics standards and financial  
3 disclosure, further providing for restricted activities.

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

6 Section 1. Section 1103(j) of Title 65 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 1103. Restricted activities.

9 \* \* \*

10 (j) Voting conflict.--

11 (1) Where voting conflicts are not otherwise addressed  
12 by the Constitution of Pennsylvania, by paragraph (2) or by  
13 any law, rule, regulation, order or ordinance, the  
14 [following] procedure prescribed in this paragraph shall be  
15 employed. Any public official or public employee who in the  
16 discharge of his official duties would be required to vote on  
17 a matter that would result in a conflict of interest shall

1 abstain from voting and, prior to the vote being taken,  
2 publicly announce and disclose the nature of his interest as  
3 a public record in a written memorandum filed with the person  
4 responsible for recording the minutes of the meeting at which  
5 the vote is taken, provided that whenever a governing body  
6 would be unable to take any action on a matter before it  
7 because the number of members of the body required to abstain  
8 from voting under the provisions of this section makes the  
9 majority or other legally required vote of approval  
10 unattainable, then such members shall be permitted to vote if  
11 disclosures are made as otherwise provided herein. In the  
12 case of a three-member governing body of a political  
13 subdivision, where one member has abstained from voting as a  
14 result of a conflict of interest and the remaining two  
15 members of the governing body have cast opposing votes, the  
16 member who has abstained shall be permitted to vote to break  
17 the tie vote if disclosure is made as otherwise provided  
18 herein.

19 (2) Any public official or public employee who is a  
20 member of a board of school directors and who in the  
21 discharge of his official duties would be required to vote on  
22 a matter that would result in negotiating the terms and  
23 conditions or approval of a collective bargaining agreement  
24 between the board of school directors and a collective  
25 bargaining unit that represents a member of the immediate  
26 family of the member of the board of school directors shall  
27 abstain from voting and, prior to the vote being taken,  
28 publicly announce and disclose the nature of his interest as  
29 a public record in a written memorandum filed with the person  
30 responsible for recording the minutes of the meeting at which

1 the vote is taken.

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