
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 387 Session of
2017

INTRODUCED BY FARNESE, GREENLEAF, BLAKE, FOLMER, YUDICHAK,
COSTA, HAYWOOD AND BREWSTER, FEBRUARY 16, 2017

REFERRED TO STATE GOVERNMENT, FEBRUARY 16, 2017

AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated
2 Statutes, in source selection and contract formation,
3 providing for limitations on political contributions by
4 contractors.

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

7 Section 1. Chapter 5 of Title 62 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER H

10 LIMITATIONS ON POLITICAL CONTRIBUTIONS BY CONTRACTORS

11 Sec.

12 571. Reporting of political contribution.

13 572. Political contribution limitations.

14 § 571. Reporting of political contribution.

15 (a) General rule.--A contractor bidding for a contract under
16 sections 512.1 (relating to competitive electronic auction
17 bidding), 513 (relating to competitive sealed proposals), 514
18 (relating to small procurements), 515 (relating to sole source
19 procurement), 516 (relating to emergency procurement), 517

1 (relating to multiple awards), 518 (relating to competitive
2 selection procedures for certain services), 519 (relating to
3 selection procedure for insurance and notary bonds), 520
4 (relating to supplies manufactured and services performed by
5 persons with disabilities) and 905 (relating to procurement of
6 design professional services) shall be required to submit, on a
7 form provided by the department, information on political
8 contributions made to an elected official holding a State
9 office, the contractor's political action committee or a
10 political action committee that makes contributions to campaigns
11 for State-elected offices. For purposes of this section, the
12 officials shall include the Governor, Auditor General, Attorney
13 General, State Treasurer, members of the judiciary and members
14 of the General Assembly.

15 (b) Lobbyist registration.--In addition to the reporting
16 requirements provided under subsection (a), the contractor shall
17 provide a notarized, written declaration, on a form provided by
18 the department, that any lobbyist that the contractor has hired
19 to represent the contractor's interest is registered in
20 accordance with 65 Pa.C.S. Ch. 13A (relating to lobbying
21 disclosure).

22 (c) Public review.--Any information submitted under this
23 section shall be available for public review as provided under
24 the act of February 14, 2008 (P.L.6, No.3), known as the Right-
25 to-Know Law.

26 § 572. Political contribution limitations.

27 (a) General rule.--A contractor bidding for a contract under
28 section 512.1 (relating to competitive electronic auction
29 bidding), 513 (relating to competitive sealed proposals), 514
30 (relating to small procurements), 515 (relating to sole source

1 procurement), 516 (relating to emergency procurement), 517
2 (relating to multiple awards), 518 (relating to competitive
3 selection procedures for certain services), 519 (relating to
4 selection procedure for insurance and notary bonds), 520
5 (relating to supplies manufactured and services performed by
6 persons with disabilities) or 905 (relating to procurement of
7 design professional services) may not be awarded a contract
8 under this section if any political contributions made and
9 reported under section 571 (relating to reporting of political
10 contribution) exceed the following limits:

11 (1) Contributions to a candidate - \$2,400 per election.

12 (2) Contributions to a business entity or political
13 action committee supporting a candidate - \$5,000 per
14 election.

15 (b) Limitation increase.--The limitations provided under
16 subsection (a) shall be increased for inflation in each odd-
17 numbered year, based upon the Consumer Price Index for All Urban
18 Consumers. The department shall calculate the increases and
19 publish the adjusted limitations as a notice in the Pennsylvania
20 Bulletin.

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