

AMENDMENTS TO SENATE BILL NO. 178

Sponsor: SENATOR FOLMER

Printer's No. 135

1 Amend Bill, page 1, line 14, by inserting after
2 "expenditures"
3 , for oath of compliance, perjury, disqualification from office
4 and commercial use

5 Amend Bill, page 1, line 17, by striking out "and" where it
6 occurs the second time and inserting a comma

7 Amend Bill, page 1, line 18, by inserting after
8 "Commonwealth"

9 and for reports by business entities and publication by
10 Secretary of the Commonwealth

11 Amend Bill, page 1, lines 21 through 23, by striking out all
12 of said lines and inserting

13 Section 1. Section 1626(a) and (h) of the act of June 3,
14 1937 (P.L.1333, No.320), known as the Pennsylvania Election
15 Code, are amended and the section is amended by adding a
16 subsection to read:

17 Amend Bill, page 1, by inserting after line 25

18 (a) Each treasurer of a political committee and each
19 candidate for election to public office shall file with the
20 appropriate supervisor reports of receipts and expenditures on
21 forms, designed by the Secretary of the Commonwealth, if the
22 amount received or expended or liabilities incurred shall exceed
23 the sum of two hundred fifty dollars (\$250). Should such an
24 amount not exceed two hundred fifty dollars (\$250), then the
25 candidate or the treasurer of the committee shall file a [sworn]
26 statement to that effect with the appropriate supervisor rather
27 than the report required by this section.

28 * * *

29 (h) All reports or statements required to be filed pursuant
30 to this section shall be filed pursuant to [section 1630]
31 sections 1629 and 1631.1. All reports and statements required by

1 this section shall cover the campaign activity of a candidate
2 only from the last prior report or statement.

3 Amend Bill, page 2, line 2, by striking out "campaign
4 finance"

5 Amend Bill, page 2, line 2, by inserting after "reports"
6 or statements

7 Amend Bill, page 2, line 6, by striking out "campaign
8 finance"

9 Amend Bill, page 2, line 6, by inserting after "report"
10 or statement

11 Amend Bill, page 2, lines 8 and 9, by striking out "be made
12 under oath or equivalent affirmation;

13 (ii)"

14 Amend Bill, page 2, lines 10 and 11, by striking out
15 "campaign finance"

16 Amend Bill, page 2, line 11, by inserting after "report"
17 where it occurs the first time

18 or statement

19 Amend Bill, page 2, lines 14 and 15, by striking out "under
20 oath or equivalent affirmation by the candidate" and inserting
21 stating

22 Amend Bill, page 2, line 18, by striking out "(iii)" and
23 inserting

24 (ii)

25 Amend Bill, page 2, line 18, by striking out "for perjury"
26 and inserting

27 of 18 Pa.C.S. § 4904 (relating to unsworn falsification to
28 authorities)

29 Amend Bill, page 2, line 28, by inserting after "hardship."

30 As used in this subclause, the term "technological hardship"

1 means a lack of computer or Internet access or a disability that
2 prevents electronic filing.

3 Amend Bill, page 2, line 29, by inserting after "1628"
4 , 1629 heading, (a) and (b)

5 Amend Bill, page 3, lines 15 through 17, by striking out "
6 The reports filed with the Secretary of" in line 15, all of line
7 16 and "with section 1631.1." in line 17

8 Amend Bill, page 3, line 17, by inserting after "Any"

9] The reports filed with the Secretary of the Commonwealth
10 shall be filed electronically in accordance with section 1631.1.
11 If the candidate or political committee is not required to file
12 electronically, the report shall be filed by facsimile,
13 electronic mail or overnight mail courier service. Except for
14 reports required to be filed electronically, a

15 Amend Bill, page 3, line 18, by inserting a bracket before
16 "in"

17 Amend Bill, page 3, line 18, by inserting after "in"

18] on

19 Amend Bill, page 3, by inserting between lines 21 and 22

20 Section 1629. [Oath of Compliance] Unsworn Falsification;
21 Perjury; Disqualification from Office; Commercial Use.--

22 [(a) Each report shall be subscribed and sworn to by the
23 individual submitting the report. In addition, any report filed
24 by a political committee, authorized by a candidate and created
25 solely for the purpose of influencing an election on behalf of
26 that candidate, must be accompanied by an affidavit from that
27 candidate which provides that, to the best of the candidate's
28 knowledge, the political committee has not violated any
29 provision of this act.]

30 (b) Any wilfully false, fraudulent or misleading statement
31 or entry made by any candidate or treasurer in any statement or
32 report [under oath] as required by this article, shall
33 constitute the crime of [perjury] unsworn falsification to
34 authorities, and be punishable as such according to the laws of
35 this Commonwealth.

36 * * *

37 Amend Bill, page 4, line 9, by inserting after "candidates,"
38 who must file reports with the Secretary of the Commonwealth
39 as required by this subsection,

1 Amend Bill, page 4, line 9, by striking out "campaign
2 finance"

3 Amend Bill, page 4, line 14, by striking out "campaign
4 finance"

5 Amend Bill, page 4, line 19, by striking out "campaign
6 finance"

7 Amend Bill, page 4, line 25, by striking out "campaign
8 finance"

9 Amend Bill, page 5, line 7, by striking out "paragraph" and
10 inserting
11 clause

12 Amend Bill, page 5, line 9, by striking out "paragraph" and
13 inserting
14 clause

15 Amend Bill, page 6, line 7, by striking out "business"

16 Amend Bill, page 6, line 18, by striking out "paragraph" and
17 inserting
18 clause

19 Amend Bill, page 6, line 20, by striking out "business"

20 Amend Bill, page 6, line 23, by inserting after "until"
21 11:59 o'clock P.M. on

22 Amend Bill, page 6, lines 23 and 24, by striking out
23 "following business" and inserting
24 next

25 Amend Bill, page 7, line 20, by inserting after "amended"
26 and the section is amended by adding a subsection

27 Amend Bill, page 7, line 22, by striking out the bracket
28 before "A"

1 Amend Bill, page 7, line 23, by inserting after
2 "contributions"
3 required to be filed with the county board of elections
4 Amend Bill, page 7, line 26, by inserting after "report"
5 or statement
6 Amend Bill, page 7, line 28, by inserting after "report"
7 or statement
8 Amend Bill, page 7, line 29, by inserting after "report"
9 or statement
10 Amend Bill, page 7, line 30, by inserting a bracket before
11 "A"
12 Amend Bill, page 7, line 30, by inserting after "supervisor"
13] The county board of elections
14 Amend Bill, page 8, line 3, by inserting a bracket before
15 "supervisor"
16 Amend Bill, page 8, line 3, by inserting after "supervisor"
17] county board of elections
18 Amend Bill, page 8, line 13, by inserting a bracket before
19 "supervisor"
20 Amend Bill, page 8, line 13, by inserting after "supervisor"
21] county board of elections
22 Amend Bill, page 8, line 17, by striking out all of said line
23 and inserting
24 reporting requirements contained in section 1628.
25 (b) For reports
26 Amend Bill, page 9, line 6, by striking out "Section 1640 of
27 the act is" and inserting
28 Sections 1640 and 1641(a) of the act are
29 Amend Bill, page 10, line 9, by inserting after "statement"
30 or report

1 Amend Bill, page 10, by inserting between lines 16 and 17

2 Section 1641. Reports by Business Entities; Publication by
3 Secretary of the Commonwealth.--

4 (a) Any business entity including but not limited to a
5 corporation, company, association, partnership or sole
6 proprietorship, which has been awarded non-bid contracts from
7 the Commonwealth or its political subdivisions during the
8 preceding calendar year, shall report electronically in
9 accordance with section 1631.1 by February 15 of each year to
10 the Secretary of the Commonwealth an itemized list of all
11 political contributions known to the business entity by virtue
12 of the knowledge possessed by every officer, director,
13 associate, partner, limited partner or individual owner that has
14 been made by:

15 (1) any officer, director, associate, partner, limited
16 partner, individual owner or members of their immediate family
17 when the contributions exceed an aggregate of one thousand
18 dollars (\$1,000) by any individual during the preceding year; or

19 (2) any employee or members of his immediate family whose
20 political contribution exceeded one thousand dollars (\$1,000)
21 during the preceding year.

22 For the purposes of this subsection, "immediate family" means a
23 person's spouse and any unemancipated child.

24 * * *

25 Amend Bill, page 10, line 22, by striking out "90" and
26 inserting

27 120