
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2301

Session of
2005

INTRODUCED BY CLYMER, ARMSTRONG, BARRAR, BEYER, BOYD, CAPPELLI,
CAUSER, CRAHALLA, CREIGHTON, DALLY, DENLINGER, FORCIER,
FREEMAN, GABIG, GILLESPIE, GINGRICH, HARHART, HERMAN,
HERSHEY, HICKERNELL, KAUFFMAN, KENNEY, KIRKLAND, MANN,
MARKOSEK, McILHATTAN, METCALFE, MUNDY, MUSTIO, PICKETT, PYLE,
RAPP, READSHAW, REED, REICHLEY, ROHRER, RUBLEY, SCAVELLO,
SCHRODER, SHAPIRO, SONNEY, STABACK, R. STEVENSON,
T. STEVENSON, TIGUE, TRUE, WILT AND YOUNGBLOOD,
DECEMBER 6, 2005

REFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT,
DECEMBER 6, 2005

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, further providing for public official financial
3 interest.

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

6 Section 1. Section 1512 of Title 4 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 1512. Public official financial interest.

9 (a) General rule.--Except as may be provided by rule or
10 order of the Pennsylvania Supreme Court, no executive-level
11 State employee, public official, party officer or immediate
12 family member thereof shall have, at or following the effective
13 date of this part, a financial interest in or be employed,
14 directly or indirectly, by any licensed racing entity or

1 licensed gaming entity, or any holding, affiliate, intermediary
2 or subsidiary company, thereof, or any such applicant, nor
3 solicit or accept, directly or indirectly, any complimentary
4 service or discount from any licensed racing entity or licensed
5 gaming entity which he or she knows or has reason to know is
6 other than a service or discount that is offered to members of
7 the general public in like circumstances during his or her
8 status as an executive-level State employee, public official or
9 party officer and for one year following termination of the
10 person's status as an executive-level State employee, public
11 official or party officer.

12 (b) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection:

15 "Executive-level State employee." The Governor, Lieutenant
16 Governor, cabinet members, deputy secretaries, the Governor's
17 office executive staff, any State employee with discretionary
18 powers which may affect the outcome of a State agency's decision
19 in relation to a private corporation or business, with respect
20 to any matter covered by this part or any executive employee who
21 by virtue of his job function could influence the outcome of
22 such a decision.

23 "Financial interest." Owning or holding securities
24 [exceeding 1% of the equity or fair market value of the] of a
25 licensed racing entity or licensed gaming entity of or located
26 in this Commonwealth, its holding company, affiliate,
27 intermediary or subsidiary business. A financial interest shall
28 not include any such stock that is held in a blind trust over
29 which the executive-level State employee, public official, party
30 officer or immediate family member thereof may not exercise any

1 managerial control or receive income during the tenure of office
2 and the period under subsection (a).

3 "Immediate family." A [parent, spouse,] spouse or minor or
4 unemancipated child, brother or sister.

5 "Party officer." A member of a national committee; a
6 chairman, vice chairman, secretary, treasurer or counsel of a
7 State committee or member of the executive committee of a State
8 committee; a county chairman, vice chairman, counsel, secretary
9 or treasurer of a county committee; or a city chairman, vice
10 chairman, counsel, secretary or treasurer of a city committee.

11 "Public official." Any person elected by the public or
12 elected or appointed by a governmental body or an appointed
13 official in the executive, legislative or judicial branch of
14 this Commonwealth or any political subdivision thereof, provided
15 that it shall not include members of advisory boards that have
16 no authority to expend public funds other than reimbursement for
17 personal expense or to otherwise exercise the power of the
18 Commonwealth or any political subdivision or commissioner of any
19 authority or joint-state commission.

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