

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 3

Session of
1975

INTRODUCED BY MESSRS. FINEMAN, GALLAGHER, COLE, MILLIRON,
COWELL, SCHWEDER, REED, WANSACZ, WARGO, BERLIN, ZEARFOSS,
FEE, DeMEDIO, WOJDAK, PIEVSKY, LAUDADIO, RAPPAPORT, PRATT,
HOPKINS, PERRY, OLIVER, WAGNER, MORRIS, SCIRICA, GREENFIELD,
ROMANELLI, MRS. TOLL, MESSRS. GREEN, DOMBROWSKI, TAYOUN,
McCALL, MRS. GILLETTE, MESSRS. STAPLETON, GILLESPIE,
FLAHERTY, ABRAHAM, GEORGE, McLANE, M. E. MILLER, JR. COHEN,
MRKONIC, KNEPPER, ZORD, WRIGHT, PANCOAST, RENNINGER, BURNS,
TURNER, NOYE, LEHR, PARKER, W. D. HUTCHINSON, VROON, POLITE,
PITTS, McCLATCHY, S. E. HAYES, JR., TAYLOR, MRS. FAWCETT,
MESSRS. CESSAR, D. S. HAYES, FISHER, MRS. CRAWFORD AND MR.
KUSSE, JANUARY 20, 1975

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 16, 1975

AN ACT

1 Amending the act of September 30, 1961 (P.L.1778, No.712),
2 entitled "An act requiring persons employed or engaged for
3 compensation to advocate the passage or defeat of legislation
4 to submit registration statements, and imposing a penalty,"
5 revising the laws relating to lobbying and imposing
6 penalties.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The title and sections 1, 2, 3 and 7, act of
10 September 30, 1961 (P.L.1778, No.712), known as the "Lobbying
11 Registration Act," are amended to read:

AN ACT

12
13 [Requiring persons employed or engaged for compensation to
14 advocate the passage or defeat of legislation to submit

1 registration statements, and imposing a penalty.] Regulating
2 the practice of lobbying, and providing penalties.

3 Section 1. Short Title.--This act shall be known and may be
4 cited as the "Lobbying [Registration] Regulation Act."

5 Section 2. Definitions.--As used in this act:

6 (1) "Lobbyist" means any natural person who, [is employed or
7 engaged, for compensation, by any other person or any
8 partnership, committee, association, corporation or any other
9 organization, to advocate the passage or defeat of legislation
10 by the General Assembly of the Commonwealth of Pennsylvania,
11 except that an officer or employe of the Commonwealth or any
12 political subdivision thereof, who acts only in his official
13 capacity, shall not be deemed a lobbyist.] for compensation, in
14 the course of his regularly assigned duties, represents the
15 interests of any other person, or any partnership, committee,
16 association, corporation, or other organization before the
17 General Assembly of the Commonwealth of Pennsylvania, except
18 that such person shall not be considered a lobbyist solely
19 because he:

20 (i) testifies before a committee of the General Assembly; or

21 (ii) communicates only with the member of the General
22 Assembly who represents the district of his residence or
23 business location or with the President pro tempore of the
24 Senate, the Speaker of the House of Representatives or a
25 majority leader, minority leader or committee chairman in either
26 house of the General Assembly; OR

27 (III) ACTS ONLY IN HIS OFFICIAL CAPACITY AS AN OFFICIAL OF
28 ANY POLITICAL SUBDIVISION OR OF ANY AUTHORITY OTHER THAN STATE
29 AUTHORITIES.

30 (2) "Legislation" means bills, resolutions, amendments,

1 nominations and other matters pending or proposed in either the
2 House of Representatives or the Senate, including any other
3 matter which may be the subject of action by either House.

4 (3) "Expenses" means any expenditures made or obligations
5 incurred for travel, meals, entertainment, the costs of
6 communication to the General Assembly and other expenditures
7 connected with lobbying. It shall not include the salaries or
8 costs of maintaining office space, unless such salary or office
9 space is used solely for lobbying.

10 Section 3. Registration of Lobbyists Required.--(a) Every
11 lobbyist before advocating the passage or defeat of any
12 legislation shall submit to the Chief Clerk of the House of
13 Representatives and the Secretary of the Senate a registration
14 statement made under oath or affirmation before an officer
15 authorized by law to administer oaths, setting forth the name
16 and business address of the lobbyist, the name and address of
17 the person, partnership, committee, association, corporation or
18 other organization by whom he is employed or engaged, the name
19 and address of the person, partnership, committee, association,
20 corporation or other organization in whose interest he will
21 advocate the passage or defeat of legislation, and the duration
22 of his employment.

23 (b) No person, partnership, committee, association,
24 corporation or any other organization shall authorize or permit
25 any lobbyist employed by him to practice lobbying until such
26 lobbyist is duly registered in accordance with the requirements
27 of this section.

28 Section 7. [Penalty.--Any person violating any of the
29 provisions of this act shall be guilty of a misdemeanor, and
30 upon conviction, shall be sentenced to pay a fine not exceeding

1 five hundred dollars (\$500) or to undergo imprisonment not
2 exceeding one year, or both.] Filing of Statement of Expenses
3 and Obligations, Required.--(a) Every lobbyist required to
4 register in accordance with the provisions of section 3 shall,
5 within fifteen days after the end of each quarter of the
6 calendar year of any regular or special session of the
7 Legislature, file with the Chief Clerk of the House of
8 Representatives and the Secretary of the Senate, a sworn
9 statement of expenses made and obligations incurred by him or
10 any agent in connection with or relative to his activities as
11 such lobbyist for the preceding quarter of the calendar year or
12 fraction thereof.

13 (b) On or before February 1 of each year every person,
14 partnership, committee, association, corporation or any other
15 organization employing or engaging one or more persons to act as
16 a lobbyist within the meaning of this act shall file with the
17 Chief Clerk of the House of Representatives and the Secretary of
18 the Senate, a complete and detailed statement verified under
19 oath by the person making the same, or in the case of a
20 corporation by its president or treasurer, of all expenses paid
21 and obligations incurred by such principal in connection with
22 the employment of lobbyists or in connection with promoting or
23 opposing in any manner the passage by the General Assembly of
24 any legislation. The statement shall contain a recital by him of
25 the source or sources and amounts of the money used to pay those
26 expenses.

27 (c) The accounts required by subsections (a) and (b) of this
28 section shall be rendered in such form as prescribed jointly by
29 the Chief Clerk of the House of Representatives and the
30 Secretary of the Senate, and shall be open to public inspection.

1 Section 2. The act is amended by adding sections to read:

2 Section 7.1. Penalty.--Any person violating any of the
3 provisions of this act shall be guilty of a misdemeanor and,
4 upon conviction, shall be disqualified to act as a lobbyist for
5 a period of three years from the date of conviction and shall be
6 sentenced to pay a fine not exceeding one thousand dollars
7 (\$1,000) or to undergo imprisonment not exceeding one year, or
8 both. Any association or corporation violating any of the
9 provisions of this act shall be guilty of a misdemeanor and,
10 upon conviction, shall be sentenced to pay a fine not exceeding
11 one thousand dollars (\$1,000).

12 Section 7.2. Contingent Compensation Forbidden.--No person,
13 partnership, committee, association, corporation or any other
14 organization shall retain or employ any person to advocate the
15 passage or defeat of any legislation for compensation contingent
16 in whole or in part upon the passage or defeat of any such
17 legislation, and no person shall accept any such employment for
18 compensation contingent upon such passage or defeat.

19 Section 3. This act shall take effect immediately.