

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1164 Session of
1983

INTRODUCED BY DAWIDA, GAMBLE, DUFFY, MICHLOVIC, KUKOVICH,
BELFANTI, PISTELLA, DeWEESE, MAIALE, VAN HORNE, TRELLO,
TIGUE, LASHINGER, E. Z. TAYLOR, KOSINSKI, COY, PRESTON,
BALDWIN, WOZNIAK, LINTON AND FATTAH, JUNE 8, 1983

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 8, 1983

AN ACT

1 Amending the act of August 5, 1941 (P.L.752, No.286), entitled
2 "An act regulating and improving the civil service of certain
3 departments and agencies of the Commonwealth; vesting in the
4 State Civil Service Commission and a Personnel Director
5 certain powers and duties; providing for classification of
6 positions, adoption of compensation schedules and
7 certification of payrolls; imposing duties upon certain
8 officers and employees of the Commonwealth; authorizing
9 service to other State departments or agencies and political
10 subdivisions of the Commonwealth in matters relating to civil
11 service; defining certain crimes and misdemeanors; imposing
12 penalties; making certain appropriations, and repealing
13 certain acts and parts thereof," further providing for the
14 political activities of individuals covered by civil service.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Section 904 of the act of August 5, 1941
18 (P.L.752, No.286), known as the Civil Service Act, amended
19 August 27, 1963 (P.L.1257, No.520), is amended to read:

20 Section 904. Prohibition of Political Activity.--
21 Notwithstanding any other provision of State law or regulations
22 adopted thereunder, employees of the classified service shall
23 have the full right to actively participate in political

1 management and political campaigns except as provided hereafter
2 in this section and sections 905 and 906. No person in the
3 classified service shall [be a member of or delegate or
4 alternate to any political convention, nor shall he participate
5 at any such convention, except in the performance of his
6 official duty or as a visitor, nor shall he serve as a member of
7 any committee of any political party, or take an active part in
8 political management or in political campaigns, or] use his
9 office or position to influence political movements or to
10 influence the political action of any officer or employe in the
11 classified service, [nor shall he circulate or seek signatures
12 to any nominations or other petition required by any primary or
13 election law, nor shall he seek or accept election, nomination
14 or appointment as an officer of a political club or
15 organization, or serve as a member of a committee of any such
16 club or organization, nor shall he in any manner participate in
17 or interfere with the conduct of any election or the preparation
18 therefor at the polling place or with the election officers
19 while counting the votes or returning the election material to
20 the place provided by law for that purpose, save only for the
21 purpose of making and depositing his own ballot as speedily as
22 it reasonably can be done, nor shall he be within the polling
23 place or within fifty feet thereof, except for the purpose of
24 carrying out official duties and of ordinary travel or residence
25 during the period of time beginning with one hour preceding the
26 opening of the polls for holding such election and ending with
27 the time when the election officers shall have finished counting
28 the votes and have left the polling place for the purpose of
29 depositing the election material in the place provided by law
30 for that purpose, excepting only police officers, who may

1 temporarily approach or enter the polling place in order to make
2 any arrest permitted by law or for the purpose of preserving
3 order and in each case remain only long enough to accomplish the
4 duties aforesaid after which the said officers shall at once
5 withdraw: Provided, however, That the rights of any individual
6 as a citizen are not impaired hereby, and the prerogative to
7 attend meetings, to hear or see any candidate or nominee, nor to
8 express one's individual opinion, shall remain inviolate.] or
9 any other person or directly or indirectly coerce, attempt to
10 coerce or command a State or local officer or employe or any
11 other person to pay, lend or contribute anything of value to a
12 party, committee, organization, agency or person for political
13 purposes. No person in the classified service shall be a
14 candidate for public office in any partisan election, including
15 a primary election: Provided, however, That candidacy for
16 political party office, even in a partisan election, is not
17 prohibited.

18 Section 2. Section 905 of the act is amended to read:

19 Section 905. Prohibition of Assessments.--No person shall
20 orally or by written or printed communication, directly or
21 indirectly, demand, solicit, collect or receive or be in any
22 manner concerned in demanding, soliciting, collecting or
23 receiving any money or valuable thing or any assessment,
24 subscription or contribution, whether voluntary or involuntary,
25 from any officer or employe in the classified service for any
26 political purpose [whatever] whatsoever as a condition of their
27 employment or continued employment, except that solicitation for
28 voluntary contributions of classified service employes by their
29 registered political action committees shall be permitted. No
30 person in the classified service shall orally or by written or

1 printed communication, directly or indirectly, demand, solicit,
2 collect or receive or be in any manner concerned in demanding,
3 soliciting, collecting or receiving any money or valuable thing
4 for any political purpose whatever. No person in the service of
5 the Commonwealth shall remove, suspend, furlough, demote or
6 promote or in any manner change the official status or
7 compensation of any other person in the classified service or
8 promise or threaten to do so for withholding or neglecting to
9 make any contribution of money or service or other valuable
10 thing for any political purpose. [No person shall take part in
11 preparing any political assessment, subscription or contribution
12 with the intent that the same shall be sent or presented to or
13 collected from any person in the classified service, and no
14 person shall knowingly send or present, directly or indirectly,
15 in person or by letter, any political assessment, subscription
16 or contribution to, or request its payment by, any person in the
17 classified service.]

18 Section 3. This act shall take effect in 60 days.