

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2730 Session of
2008

INTRODUCED BY R. TAYLOR, DePASQUALE, BRENNAN, BUXTON, CONKLIN,
CREIGHTON, CUTLER, FAIRCHILD, GALLOWAY, GIBBONS, GINGRICH,
GOODMAN, HANNA, HICKERNELL, HORNAMAN, KESSLER, KING, KORTZ,
KULA, LONGIETTI, MAHONEY, MARSHALL, McILVAINE SMITH, MELIO,
MOUL, MUNDY, NICKOL, M. O'BRIEN, PETRARCA, QUINN, REED, ROAE,
ROCK, SAINATO, SAYLOR, SEIP, SIPTROTH, M. SMITH, SURRA,
SWANGER, VULAKOVICH AND YUDICHAK, AUGUST 5, 2008

REFERRED TO COMMITTEE ON STATE GOVERNMENT, AUGUST 5, 2008

AN ACT

1 Banning the payment of bonuses to employees of the General
2 Assembly.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the General
7 Assembly Employee Bonus Ban Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Bonus." Monetary compensation given to an employee above
13 and beyond the employee's annual salary or other rate of pay.

14 The term does not include any of the following:

15 (1) Reimbursement or payment for expenses related to

1 official business, including meals, housing, uniforms, car
2 allowance and other expenses.

3 (2) Severance payments pursuant to a personnel
4 compensation plan or contract, provided that the personnel
5 compensation plan or contract is in writing and open for
6 public inspection.

7 (3) Payments for unused vacation or sick leave.

8 (4) An annual cost-of-living adjustment equivalency
9 payment made to an individual, at the maximum of a salary
10 range, adopted pursuant to a personnel compensation plan,
11 provided that the personnel compensation plan is in writing
12 and open for public inspection.

13 (5) An arbitration award.

14 (6) Payments made pursuant to litigation.

15 (7) Overtime payments required for work performed in
16 excess of the maximum workweek.

17 (8) Annual performance-based incentive payments based on
18 objective criteria made pursuant to a personnel compensation
19 plan included in an individual employment contract, provided
20 that the personnel compensation plan and contract are in
21 writing and open for public inspection.

22 "Employee." An employee of the General Assembly of the
23 Commonwealth.

24 Section 3. Bonus ban.

25 No employee of the General Assembly may be paid a bonus.

26 Section 4. Penalties.

27 (a) Reimbursement.--An employee who is paid a bonus in
28 violation of the provisions of this act shall reimburse the
29 General Assembly the full amount of the bonus.

30 (b) Penalty.--An individual who intentionally approves or

1 authorizes a bonus in violation of this act commits a
2 misdemeanor of the third degree.

3 Section 5. Applicability.

4 This act shall not abrogate any provision of an employment
5 contract which is in effect on the effective date of this
6 section.

7 Section 6. Effective date.

8 This act shall take effect in 30 days.