

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 346 Session of 2017

INTRODUCED BY BROWNE, GORDNER, MENSCH, BAKER, EICHELBERGER, YAW, RAFFERTY, AUMENT, FOLMER, COSTA, FONTANA, BOSCOLA, BREWSTER, SCHWANK AND HUGHES, FEBRUARY 15, 2017

REFERRED TO STATE GOVERNMENT, FEBRUARY 15, 2017

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," in primary election expenses, further providing
12 for reporting by candidate and political committees and other
13 persons, for late contributions and independent expenditures
14 and for additional powers and duties of the Secretary of the
15 Commonwealth.

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

18 Section 1. Section 1626 of the act of June 3, 1937
19 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
20 amended by adding a subsection to read:

21 Section 1626. Reporting by Candidate and Political
22 Committees and other Persons.--

23 * * *

24 (k) (1) All campaign finance reports required to be filed

1 with the Secretary of the Commonwealth shall be filed
2 electronically using the electronic filing system developed by
3 the secretary that is consistent with the purposes of this
4 subsection. A campaign finance report submitted electronically
5 must:

6 (i) be made under oath or equivalent affirmation;

7 (ii) require an electronic signature from the treasurer or
8 assistant treasurer at the time of the filing of the campaign
9 finance report. In addition, a report filed by a political
10 committee, authorized by a candidate and created solely for the
11 purpose of influencing an election on behalf of that candidate
12 must be signed, using an electronic signature, under oath or
13 equivalent affirmation by the candidate that, to the best of the
14 candidate's knowledge, the political committee has not violated
15 a provision of this act; and

16 (iii) be made subject to the penalties for perjury.

17 (2) A candidate or political committee not able to file
18 electronically the report or statement required by this
19 subsection shall request an exemption from the secretary. The
20 candidate or political committee upon approval of the secretary
21 shall file reports and statements on forms developed by the
22 secretary.

23 Section 2. Sections 1628 and 1640 of the act are amended to
24 read:

25 Section 1628. Late Contributions and Independent
26 Expenditures.--Any candidate or political committee, authorized
27 by a candidate and created solely for the purpose of influencing
28 an election on behalf of that candidate, which receives any
29 contribution or pledge of five hundred dollars (\$500) or more,
30 and any person making an independent expenditure, as defined by

1 this act, of five hundred dollars (\$500) or more after the final
2 pre-election report has been deemed completed shall report such
3 contribution, pledge or expenditure to the appropriate
4 supervisor. Such report shall be sent by the candidate, chairman
5 or treasurer of the political committee within twenty-four (24)
6 hours of receipt of the contribution. It shall be the duty of
7 the supervisor to confirm the substance of such report. The
8 report is to be filed electronically in a manner prescribed by
9 the Secretary of the Commonwealth. The report shall be made by
10 telegram, mailgram, overnight mail or facsimile transmission.
11 Any candidate in his own behalf, or chairman, treasurer or
12 candidate in behalf of the political committee may also comply
13 with this section by appearing personally before such supervisor
14 and reporting such late contributions or pledges.

15 Section 1640. Additional Powers and Duties of the Secretary
16 of the Commonwealth.--The Secretary of the Commonwealth shall
17 have the following additional powers and duties:

18 (1) To serve as the State clearing house for information
19 concerning the administration of this act.

20 (2) To prescribe suitable rules and regulations to carry out
21 the provisions of this act.

22 (3) To develop the prescribed forms required by the
23 provisions of this article for the making of the reports and
24 statements required to be filed with the supervisor.

25 (4) To prepare a manual setting forth recommended uniform
26 methods of bookkeeping and reporting which shall be furnished by
27 the supervisor to the person required to file such reports and
28 statements as required by this article.

29 (5) To examine the contributions to State legislative and
30 Statewide candidates and publish a list of all those political

committees who have contributed to candidates and who have failed to file reports as required by this act within six (6) days of their failure to comply.

(6) To maintain a searchable computer database and electronic reporting system that contains the information necessary for the proper administration of this article, including information on contributions and expenditures by all candidates and all political committees and distribution of money, and including public access through the Internet. The database must be designed with an emergency recovery system to ensure that campaign expense records are not lost in the case of an emergency, natural disaster or other event that could cause the system to malfunction.

(7) To establish a training program on the electronic reporting system and make it available to a candidate or political committee.

(8) To ensure all information contained in a statement filed, that is not on the electronic reporting system, be entered into the electronic reporting system as soon as practicable but no later than four (4) business days after its receipt by the secretary.

(9) The department shall issue to the registrant an electronic receipt that includes a confirmation number and the date and time of filing.

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