
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1945 Session of
2019

INTRODUCED BY EVERETT, HELM, RYAN, ROAE, TURZAI, SCHLOSSBERG,
MURT, SOLOMON, GROVE, JONES, KNOWLES, BROWN, MULLERY, HILL-
EVANS, GILLESPIE, SCHLEGEL CULVER, ISAACSON, O'MARA,
LAWRENCE, DeLUCA, T. DAVIS, SCHMITT, DUNBAR, BOROWICZ,
VITALI, WHEELAND, ZABEL, B. MILLER, SAYLOR AND HENNESSEY,
OCTOBER 18, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 18, 2019

AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania
2 Consolidated Statutes, in ethics standards and financial
3 disclosure, further providing for definitions, providing for
4 gift ban and for gift ban exceptions and further providing
5 for statement of financial interests.

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

8 Section 1. The definition of "person" in section 1102 of
9 Title 65 of the Pennsylvania Consolidated Statutes is amended
10 and the section is amended by adding definitions to read:

11 § 1102. Definitions.

12 The following words and phrases when used in this chapter
13 shall have, unless the context clearly indicates otherwise, the
14 meanings given to them in this section:

15 * * *

16 "Cash." United States currency and coin and foreign currency
17 and coin.

1 * * *

2 "Lobbyist." As defined in section 13A03 (relating to
3 definitions).

4 * * *

5 "Person." A business, governmental body, individual,
6 including an individual lobbyist or employee of a lobbyist,
7 corporation, union, association, firm, partnership, committee,
8 club or other organization or group of persons.

9 * * *

10 Section 2. Title 65 is amended by adding sections to read:

11 § 1103.1. Gift ban.

12 Except as provided in section 1103.2 (relating to gift ban
13 exceptions), no public official, public employee or nominee or
14 candidate for public office may receive, accept, take, seek or
15 solicit any of the following:

16 (1) A gift, other than a gift of cash, having either a
17 fair market value or aggregate actual cost greater than \$50
18 from any one person in a calendar year.

19 (2) Hospitality, transportation or lodging having either
20 a fair market value or aggregate actual cost greater than
21 \$500 from any one person in a calendar year.

22 (3) A gift of cash.

23 § 1103.2. Gift ban exceptions.

24 The prohibitions listed in section 1103.1 (relating to gift
25 ban) shall not apply to any of the following:

26 (1) A gift or any hospitality, transportation or lodging
27 from any of the following:

28 (i) A parent, sibling, spouse, child, stepchild,
29 stepparent, stepsibling, grandparent, grandchild, parent-
30 in-law, sibling-in-law or other family member or friend

1 when the circumstances make it clear that the motivation
2 for the gift or hospitality, transportation or lodging
3 was a personal or family relationship. The exception
4 under this subparagraph does not apply to a gift of cash
5 to a nominee or candidate for public office. For the
6 purposes of this subparagraph, the term "friend" does not
7 include a registered lobbyist or an employee of a
8 registered lobbyist.

9 (ii) A registered lobbyist or employee of a
10 registered lobbyist if the public official, public
11 employee or nominee or candidate for public office who
12 receives the gift or hospitality, transportation or
13 lodging is involved in a personal romantic relationship
14 with the registered lobbyist or employee of a registered
15 lobbyist and the circumstances make it clear that the
16 motivation for the gift or hospitality, transportation or
17 lodging is related to the personal romantic relationship.
18 The exception under this subparagraph does not apply to a
19 gift of cash to a nominee or candidate for public office.

20 (2) A "contribution," as defined in section 1621 of the
21 act of June 3, 1937 (P.L.1333, No.320), known as the
22 Pennsylvania Election Code, lawfully made under that act.

23 (3) Informational material sent to the office of a
24 public official or public employee in the form of a book,
25 article, periodical, other written material, audiotape,
26 videotape or other forms of communication for
27 nonentertainment purposes.

28 (4) An award or prize given to competitors in a contest
29 or event open to the public, including random drawings.

30 (5) An honorary degree or award and associated travel,

1 food, refreshments and entertainment provided in the
2 presentation of the degree or award.

3 (6) Training provided to a public official or public
4 employee if the training is in the interest of a governmental
5 entity. This paragraph shall include food and refreshments
6 furnished to all attendees as an integral part of the
7 training.

8 (7) Food and beverage for consumption at any of the
9 following:

10 (i) A public event, including a public meeting.

11 (ii) An event directly related to the duties and
12 responsibilities of a public official or public employee.

13 (iii) An event where a public official or public
14 employee is a speaker or a member of a panel.

15 (iv) A regularly scheduled event sponsored by a
16 constituent, Statewide organization or nonprofit
17 organization.

18 (8) Gifts exchanged between public officials or public
19 employees and their staffs on a voluntary basis.

20 (9) An educational mission, including a meeting with
21 governmental officials, either foreign or domestic, intended
22 to educate a public official or public employee on matters of
23 public policy, to which the public official or public
24 employee may be invited to participate along with other
25 Federal, State or local public officials or community
26 leaders.

27 (10) Anything paid for by a Federal, State or other
28 government or governmental entity under a government
29 contract.

30 (11) An honorarium, including an award, plaque, trophy

1 or other item, valued at \$100 or less that is substantially
2 commemorative in nature.

3 (12) Tokens having de minimis economic impact, such as a
4 greeting card, pen, cap or t-shirt.

5 (13) Light food or refreshments, such as hors d'oeuvres,
6 in a group setting and intended for mass consumption and not
7 intended for consumption by a specific individual.

8 (14) Complimentary attendance and food or beverage at a
9 bona fide charitable or political event.

10 (15) Reimbursement of expenses by a governmental body or
11 by an organization or association of public officials or
12 employees of political subdivisions, which a public official
13 or public employee serves in an official capacity.

14 Section 3. Section 1105(b) (6) and (7) of Title 65 are
15 amended and the subsection is amended by adding a paragraph to
16 read:

17 § 1105. Statement of financial interests.

18 * * *

19 (b) Required information.--The statement shall include the
20 following information for the prior calendar year with regard to
21 the person required to file the statement:

22 * * *

23 (6) The name and address of the source and the amount of
24 any gift or gifts valued in the aggregate at [~~\$250 or more~~]
25 \$50 and the circumstances of each gift. This paragraph shall
26 not apply to a gift [~~or gifts received from a spouse, parent,~~
27 ~~parent by marriage, sibling, child, grandchild, other family~~
28 ~~member or friend when the circumstances make it clear that~~
29 ~~the motivation for the action was a personal or family~~
30 ~~relationship. However, for the purposes of this paragraph,~~

1 the term "friend" shall not include a registered lobbyist or
2 an employee of a registered lobbyist.] under section
3 1103.2(1) (relating to gift ban exceptions).

4 (7) The name and address of the source and the amount of
5 any payment for or reimbursement of actual expenses for
6 transportation [and], lodging or hospitality [received in
7 connection with public office or employment where such actual
8 expenses for transportation and lodging or hospitality exceed
9 \$650 in an aggregate amount per year.] valued in the
10 aggregate at \$500 and the circumstances surrounding the
11 payment or reimbursement. This paragraph shall not apply to
12 [expenses reimbursed by a governmental body or to expenses
13 reimbursed by an organization or association of public
14 officials or employees of political subdivisions which the
15 public official or employee serves in an official capacity.]
16 transportation, lodging or hospitality under section
17 1103.2(1).

18 (7.1) The name and address of the source of any
19 honorarium valued at more than \$50 and the circumstances
20 surrounding the receipt of the honorarium.

21 * * *

22 Section 4. This act shall take effect in 60 days.