

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 744 Session of  
2013

INTRODUCED BY CUTLER, NEUMAN, METCALFE, HICKERNELL, D. COSTA,  
AUMENT, GINGRICH, WHITE, DeLUCA, SANTARSIERO, MURT, LAWRENCE  
AND GALLOWAY, FEBRUARY 14, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 14, 2013

## AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania  
2 Consolidated Statutes, in lobbying disclosure, further  
3 providing ~~for definitions~~, for prohibited activities, for  
4 penalties and for registration filing system.

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

7 ~~Section 1. Sections 13A07(f)(2), 13A09(c)(1) and (e) and~~  
8 ~~13A10(c) of Title 65 of the Pennsylvania Consolidated Statutes~~  
9 ~~are amended to read:~~

10 Section 1. Section 13A03 of Title 65 of the Pennsylvania  
11 Consolidated Statutes is amended by adding definitions to read:  
12 § 13A03. Definitions.

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

16 \* \* \*

17 "Campaign manager." A person in charge of day-to-day  
18 management of a political campaign or anyone who has a title of



1 campaign manager by a candidate or political committee, whether  
2 paid or unpaid.

3 \* \* \*

4 "Political consultant." A person compensated for giving  
5 political advice.

6 \* \* \*

7 Section 2. Sections 13A07(a) and (f) (2), 13A09(c) (1) and (e)  
8 and 13A10(c) of Title 65 are amended to read:

9 § 13A07. Prohibited activities.

10 (a) Political committees.--

11 (1) A lobbyist may not serve as a treasurer or other  
12 officer who must be included in a registration statement  
13 under section 1624(b) (2) and (3) of the act of June 3, 1937  
14 (P.L.1333, No.320), known as the Pennsylvania Election Code,  
15 for a candidate's political committee or a candidate's  
16 political action committee if the candidate is seeking a  
17 Statewide office or the office of Senator or Representative  
18 in the General Assembly.

19 (2) A lobbyist may not serve as a campaign manager or  
20 political consultant for a candidate seeking a Statewide  
21 office or the office of Senator or Representative in the  
22 General Assembly.

23 \* \* \*

24 (f) Unlawful acts.--

25 \* \* \*

26 (2) The commission may receive complaints regarding  
27 violations of this subsection. If the commission determines a  
28 violation of this subsection has occurred, the commission,  
29 after investigation, notice and hearing:

30 (i) shall impose an administrative penalty in an



amount not to exceed [\$2,000] \$10,000; and

(ii) may prohibit a lobbyist from lobbying for economic consideration for up to [five] ten years.

\* \* \*

§ 13A09. Penalties.

\* \* \*

(c) Negligent failure to register or report.--

(1) Negligent failure to register or report as required by this chapter is punishable by an administrative penalty not exceeding [\$50 for each late day.] the following:

(i) For the first ten late days, \$50 for each late day.

(ii) For each late day after the first ten late days, \$250 for each late day.

\* \* \*

(e) Intentional violations.--

(1) A person that intentionally fails to register or report as required by this chapter commits a misdemeanor of the [second] first degree.

(2) A registrant who files a report under this chapter with knowledge that the report contains a false statement or is incomplete commits a misdemeanor of the [second] first degree.

(3) Except as set forth in paragraph (1) or (2), a person that intentionally violates this chapter commits a misdemeanor of the [third] second degree. In addition to any other penalties imposed under this chapter, the court may impose a fine not to exceed [\$25,000] \$100,000 against a principal who is found guilty under this paragraph.

(4) In addition to any criminal penalties imposed under



1 this chapter, the commission may prohibit a person from  
2 lobbying for economic consideration for up to [five] ten  
3 years for conduct which constitutes an offense under this  
4 subsection. Criminal prosecution or conviction is not  
5 required for the imposition of the prohibition authorized by  
6 this paragraph. The commission shall not impose the  
7 prohibition under this paragraph unless the person has been  
8 afforded the opportunity for a hearing, which shall be  
9 conducted by the commission in accordance with sections  
10 1107(14) and 1108(e).

11 \* \* \*

12 § 13A10. Registration fees; fund established; system;  
13 regulations.

14 \* \* \*

15 (c) Computerized filing system.--

16 (1) The department shall implement a fully accessible  
17 system to accommodate the use of computerized filing. [Each  
18 registrant shall elect on an annual basis whether the  
19 registrant will file all of the documents required by this  
20 chapter either electronically or on paper with the  
21 department.] At the time of filing a document required under  
22 this chapter, a registrant may elect to file the document  
23 electronically or on paper with the department.

24 (2) If a document is filed electronically, the  
25 department shall issue to the registrant an electronic  
26 receipt which includes a confirmation number and the date and  
27 time of filing. The registrant may rely on the electronic  
28 receipt as proof of the time of filing.

29 \* \* \*

30 | Section ~~2~~ 3. This act shall take effect immediately.

