

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2079 Session of 2011

INTRODUCED BY BRIGGS, CARROLL, D. COSTA, CUTLER, DAVIS, GEORGE, GIBBONS, HALUSKA, HARKINS, HORNAMAN, JOSEPHS, SAMUELSON AND SANTARSIERO, DECEMBER 14, 2011

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 14, 2011

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," further providing for company finance reports and
 12 for additional powers and duties of the Secretary of the
 13 Commonwealth.

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

16 Section 1. Section 1626 of the act of June 3, 1937
 17 (P.L.1333, No.320), known as the Pennsylvania Election Code,
 18 added October 8, 1978 (P.L.893, No.171), is amended by adding a
 19 subsection to read:

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

22 * * *

23 (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 shall:

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, any 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 any provision of this act; and

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

17 (2) Any 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. Section 1628 of the act, amended February 13,
24 1998 (P.L.72, No.18), is amended to 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 3. Section 1640 of the act, added October 4, 1978
16 (P.L.893, No.171), is amended to read:

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

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

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

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

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

1 (5) To examine the contributions to State legislative and
2 Statewide candidates and publish a list of all those political
3 committees who have contributed to candidates and who have
4 failed to file reports as required by this act within six (6)
5 days of their failure to comply.

6 (6) To maintain a searchable computer database and
7 electronic reporting system that shall contain all information
8 necessary for the proper administration of this article,
9 including information on contributions and expenditures by all
10 candidates and all political committees and distribution of
11 moneys, and including public access through personal computer
12 and the Internet. The database shall be designed with an
13 emergency recovery system to ensure that campaign expense
14 records are not lost in the case of an emergency, natural
15 disaster or other such event that could cause the system to
16 malfunction.

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

20 (8) To cause all information contained in such a statement
21 filed with the Secretary of the Commonwealth, which is not on
22 such electronic reporting system, to be entered into such system
23 as soon as practicable, but in no event later than four (4)
24 business days after its receipt by the secretary.

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

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