

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 404

Session of
1977

INTRODUCED BY MESSRS. STAPLETON, J. L. WRIGHT, BURNS, D. S.
HAYES, HOPKINS, STAIRS, O'DONNELL, O'KEEFE, ZELLER, HOEFFEL,
REED, MILLIRON, FLAHERTY, DOYLE, ZEARFOSS, FRYER, GOEBEL,
FREIND, FISCHER, BROWN, GREENLEAF AND FISHER, MARCH 1, 1977

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, SEPTEMBER 26, 1978

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," ~~extending the time records must be preserved by~~ <—
12 ~~County Boards of Election and further providing for times and~~
13 ~~places for filing expense accounts~~ PROVIDING FOR THE CONTROL <—
14 OF DONATIONS AND CONTRIBUTIONS TO COMMITTEES, IMPOSING
15 ADDITIONAL DUTIES ON CANDIDATES AND TREASURERS, REQUIRING <—
16 CERTAIN STATEMENTS OF LOBBYISTS, MAKING ~~AN APPROPRIATION AND~~ <—
17 CERTAIN REPEALS, AND INCREASING PENALTIES.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 ~~Section 1. Section 309, act of June 3, 1937 (P.L.1333,~~ <—
21 ~~No.320), known as the "Pennsylvania Election Code," amended July~~
22 ~~14, 1961 (P.L.648, No.334), is amended to read:~~

23 ~~Section 309. Preservation of Records. All documents, papers~~

1 ~~and records in the office of the county board of elections of~~
2 ~~each county shall preserved therein for a period of at least~~
3 ~~{eleven (11) months,} two (2) years and all official ballots and~~
4 ~~the contents of ballot boxes shall be preserved therein for a~~
5 ~~period of at least four (4) months; in the event the county~~
6 ~~board has been notified in writing by the district attorney of~~
7 ~~the county, or by a judge of a court of record, to preserve said~~
8 ~~papers or contents of ballot boxes for a longer period of time,~~
9 ~~for the purposes of pending prosecution or litigation, said~~
10 ~~records shall be preserved accordingly.~~

11 ~~Section 2. Subsection (a) of section 1607 of the act~~
12 ~~amended July 1, 1976 (P.L.523, No.124), is amended to read:~~

13 ~~Section 1607. Expense Accounts to Be Filed.—~~

14 ~~(a) Every candidate for nomination or election, and every~~
15 ~~treasurer of a political committee, or person acting as such~~
16 ~~treasurer, shall, no later than ten days prior to, to be~~
17 ~~complete as of fifteen days prior to, and within thirty days~~
18 ~~after every primary and election at which such candidate was~~
19 ~~voted for or with which such political committee was concerned,~~
20 ~~if the amount received or expended or liabilities incurred shall~~
21 ~~exceed the sum of one hundred fifty dollars, file a full, true~~
22 ~~and detailed account, subscribed and sworn to by him, setting~~
23 ~~forth each and every sum of money received, contributed or~~
24 ~~disbursed by him for primary or election expenses, the date of~~
25 ~~each receipt, contribution and disbursement, the name of the~~
26 ~~person from whom received or to whom paid, and the specific~~
27 ~~object or purpose for which the same was disbursed. Such account~~
28 ~~shall also set forth the unpaid debts and liabilities of any~~
29 ~~such candidate or committee for primary or election expenses,~~
30 ~~with the nature and amount of each, and to whom owing. In the~~

1 ~~case of the treasurer of a political committee, the account~~
2 ~~shall include any unexpended balance of contributions or other~~
3 ~~receipts appearing from the last previous account filed by him,~~
4 ~~and shall also include a complete listing of all receipts and~~
5 ~~disbursements made by such committee for any purpose, including~~
6 ~~all receipts and disbursements from the publication and sale of~~
7 ~~all publications, and from the time of the last account or from~~
8 ~~the time of the formation of the political committee if no prior~~
9 ~~account has been filed. In the case of candidates for election~~
10 ~~who have previously filed accounts of their primary expenses as~~
11 ~~candidates for nomination, the accounts shall only include~~
12 ~~receipts, contributions and disbursements subsequent to the date~~
13 ~~of such prior accounts. Any contribution of one thousand~~
14 ~~(\$1,000) dollars or more received after the fifteenth day but~~
15 ~~more than forty eight hours before any election shall be~~
16 ~~reported within forty eight hours after its receipt. Any account~~
17 ~~required to be filed no later than ten days prior to the~~
18 ~~election which is filed by registered or certified mail must be~~
19 ~~postmarked not later than the close of the twelfth day before~~
20 ~~the date of the election.~~

21 ~~Notwithstanding the foregoing paragraph, where any amount~~
22 ~~received or contributed is not more than fifty (\$50) dollars,~~
23 ~~such amounts may be aggregated according to the date of receipt~~
24 ~~or contribution. In such cases, the name of the person from whom~~
25 ~~received or contributed need not be set forth. However, where~~
26 ~~the candidate for nomination or election, treasurer of a~~
27 ~~political committee, or person acting as a treasurer, knows or~~
28 ~~has reason to know that a person has, through multiple~~
29 ~~contributions, contributed more than a total of fifty (\$50)~~
30 ~~dollars, he must make a full, true and detailed account and~~

1 ~~report of what he knows or has reason to know.~~

2 ~~* * *~~

3 ~~Section 3. Section 1607 of the act is amended by adding~~
4 ~~subsections to read:~~

5 ~~Section 1607. Expense Accounts to Be Filed.~~

6 ~~* * *~~

7 ~~(a.1) A new account shall be filed in accordance with the~~
8 ~~provisions of subsection (a) within thirty days of the receipts~~
9 ~~of any contributions received after the last account was filed~~
10 ~~or within thirty days of the receipts of any contributions~~
11 ~~received by any new committee.~~

12 ~~* * *~~

13 ~~(d) Notwithstanding any other penalty provision of this act,~~
14 ~~any person who violates any provision of subsection (a) is~~
15 ~~guilty of a misdemeanor and upon conviction thereof shall be~~
16 ~~sentenced to a fine not to exceed ten thousand (\$10,000) dollars~~
17 ~~or to undergo imprisonment not to exceed one year or both.~~

18 ~~Section 4. Section 1608 of the act, amended June 3, 1943~~
19 ~~(P.L.851, No.358), is amended to read:~~

20 ~~Section 1608. Place of Filing Expense Accounts. (a) Every~~
21 ~~such account concerning primary or election expenses incurred by~~
22 ~~or in regard to candidates for offices to be voted for by the~~
23 ~~electors of the State at large shall be filed with the Secretary~~
24 ~~of the Commonwealth, and every such account concerning expenses~~
25 ~~incurred by or in regard to candidates for other offices shall~~
26 ~~be filed with the county board of elections of the county~~
27 ~~wherein the candidate resides: Provided, however, That if any~~
28 ~~account concerns expenses in regard to candidates who do not all~~
29 ~~reside in the same county, a duplicate of such account shall be~~
30 ~~filed in the office of the county board of elections of each~~

~~county in which any such candidate (not being a candidate for an office to be voted for by the electors of the State at large) resides: And provided further, That if any account of any political committee concerns the primary or election expenses in regard to both a candidate or candidates for an office or offices to be voted for by the electors of the State at large and also candidates for other offices, such account shall be filed with the Secretary of the Commonwealth.~~

~~(b) Notwithstanding any other provision of this act, every account concerning primary or election expenses incurred by any county organization or committee in regard to candidates for offices to be voted for by the electors of the State at large, shall be filed only with the county board of elections of the county wherein the candidate resides.~~

~~Section 5. This act shall take effect immediately.~~

SECTION 1. SECTIONS 1601, 1602, 1602.1, 1603, 1604, 1605, 1605.1, 1606, 1607, 1608, 1609, 1610, 1610.1, 1611, 1612, 1613, AND 1614, ACT OF JUNE 3, 1937 (P.L.1333, NO.320), KNOWN AS THE "PENNSYLVANIA ELECTION CODE," ARE REPEALED.

SECTION 2. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

SECTION 1621. DEFINITIONS.--AS USED IN THIS ARTICLE, THE FOLLOWING WORDS HAVE THE FOLLOWING MEANINGS:

(A) THE WORD "CANDIDATE" SHALL MEAN ANY INDIVIDUAL WHO SEEKS NOMINATION OR ELECTION TO PUBLIC OFFICE, WHETHER OR NOT SUCH INDIVIDUAL IS NOMINATED OR ELECTED. FOR THE PURPOSE OF THIS ARTICLE, AN INDIVIDUAL SHALL BE DEEMED TO BE SEEKING NOMINATION OR ELECTION TO SUCH OFFICE IF HE HAS:

(1) RECEIVED A CONTRIBUTION OR MADE AN EXPENDITURE OR HAS GIVEN HIS CONSENT FOR ANY OTHER PERSON OR COMMITTEE TO RECEIVE A CONTRIBUTION OR MAKE AN EXPENDITURE, FOR THE PURPOSE OF

1 INFLUENCING HIS NOMINATION OR ELECTION TO SUCH OFFICE, WHETHER
2 OR NOT THE INDIVIDUAL HAS MADE KNOWN THE SPECIFIC OFFICE FOR
3 WHICH HE OR SHE WILL SEEK NOMINATION OR ELECTION AT THE TIME THE
4 CONTRIBUTION IS RECEIVED OR THE EXPENDITURE IS MADE; OR

5 (2) TAKEN THE ACTION NECESSARY UNDER THE LAWS OF THE
6 COMMONWEALTH TO QUALIFY HIMSELF FOR NOMINATION OR ELECTION TO
7 SUCH OFFICE.

8 (B) THE WORD "CONTRIBUTION" SHALL MEAN ANY PAYMENT, GIFT,
9 SUBSCRIPTION, ASSESSMENT, CONTRACT, PAYMENT FOR SERVICES, DUES,
10 LOAN, FORBEARANCE, ADVANCE OR DEPOSIT OF MONEY OR ANY VALUABLE
11 THING, TO A CANDIDATE OR POLITICAL COMMITTEE MADE FOR THE
12 PURPOSE OF INFLUENCING ANY ELECTION IN THIS COMMONWEALTH OR FOR
13 PAYING DEBTS INCURRED BY OR FOR A CANDIDATE OR COMMITTEE BEFORE
14 OR AFTER ANY ELECTION. "CONTRIBUTION" SHALL ALSO INCLUDE THE
15 PURCHASE OF TICKETS FOR EVENTS SUCH AS DINNERS, LUNCHEONS,
16 RALLIES AND ALL OTHER FUND-RAISING EVENTS; THE GRANTING OF
17 DISCOUNTS OR REBATES NOT AVAILABLE TO THE GENERAL PUBLIC; OR THE
18 GRANTING OF DISCOUNTS OR REBATES BY TELEVISION AND RADIO
19 STATIONS AND NEWSPAPERS NOT EXTENDED ON AN EQUAL BASIS TO ALL
20 CANDIDATES FOR THE SAME OFFICE; AND ANY PAYMENTS PROVIDED FOR
21 THE BENEFIT OF ANY CANDIDATE, INCLUDING ANY PAYMENTS FOR THE
22 SERVICES OF ANY PERSON SERVING AS AN AGENT OF A CANDIDATE OR
23 COMMITTEE BY A PERSON OTHER THAN THE CANDIDATE OR COMMITTEE OR A
24 PERSON WHOSE EXPENDITURES THE CANDIDATE OR COMMITTEE MUST REPORT
25 UNDER THIS ACT. THE WORD "CONTRIBUTION" INCLUDES ANY RECEIPT OR
26 USE OF ANYTHING OF VALUE RECEIVED BY A POLITICAL COMMITTEE FROM
27 ANOTHER POLITICAL COMMITTEE AND ALSO INCLUDES ANY RETURN ON
28 INVESTMENTS BY A POLITICAL COMMITTEE.

29 (C) THE WORD "ELECTION" SHALL MEAN ANY RETENTION, PRIMARY,
30 SPECIAL, MUNICIPAL OR GENERAL ELECTION AT WHICH CANDIDATES

1 APPEAR ON THE BALLOT FOR NOMINATION OR ELECTION OR AT WHICH
2 QUESTIONS ARE TO BE VOTED ON BY THE ELECTORS OF THIS
3 COMMONWEALTH.

4 (D) THE WORD "EXPENDITURE" SHALL MEAN:

5 (1) THE PAYMENT, DISTRIBUTION, LOAN OR ADVANCEMENT OF MONEY
6 OR ANY VALUABLE THING BY A CANDIDATE, POLITICAL COMMITTEE OR
7 OTHER PERSON FOR THE PURPOSE OF INFLUENCING THE OUTCOME OF AN
8 ELECTION;

9 (2) THE PAYMENT, DISTRIBUTION, LOAN, ADVANCE OR TRANSFER OF
10 MONEY OR OTHER VALUABLE THING BETWEEN OR AMONG POLITICAL
11 COMMITTEES;

12 (3) THE PROVIDING OF A SERVICE OR OTHER VALUABLE THING FOR
13 THE PURPOSE OF INFLUENCING THE OUTCOME OF A NOMINATION OR
14 ELECTION OF ANY PERSON TO ANY PUBLIC OFFICE TO BE VOTED FOR IN
15 THIS COMMONWEALTH; OR

16 (4) THE PAYMENT OR PROVIDING OF MONEY OR OTHER VALUABLE
17 THING BY ANY PERSON OTHER THAN A CANDIDATE OR POLITICAL
18 COMMITTEE, TO COMPENSATE ANY PERSON FOR SERVICES RENDERED TO A
19 CANDIDATE OR POLITICAL COMMITTEE.

20 (E) THE WORDS "INDEPENDENT EXPENDITURE" SHALL MEAN AN
21 EXPENDITURE BY A PERSON MADE FOR THE PURPOSE OF INFLUENCING AN
22 ELECTION WITHOUT COOPERATION OR CONSULTATION WITH ANY CANDIDATE
23 OR ANY POLITICAL COMMITTEE AUTHORIZED BY THAT CANDIDATE AND
24 WHICH IS NOT MADE IN CONCERT WITH OR AT THE REQUEST OR
25 SUGGESTION OF ANY CANDIDATE OR POLITICAL COMMITTEE OR AGENT
26 THEREOF.

27 (F) THE WORD "LOBBYIST" SHALL MEAN ANY PERSON WHO IS
28 REGISTERED PURSUANT TO THE PROVISIONS OF THE ACT OF SEPTEMBER
29 30, 1961 (P.L.1778, NO.712), KNOWN AS THE "LOBBYING REGISTRATION
30 AND REGULATION ACT."

<—

1 ~~(F)~~ (G) THE WORD "PLEDGE" SHALL MEAN ANY WRITTEN CONTRACT, <—
2 PROMISE OR AGREEMENT TO CONTRIBUTE PERSONALLY MONEY OR ANYTHING
3 OF VALUE.

4 ~~(G)~~ (H) THE WORDS "POLITICAL COMMITTEE" SHALL MEAN ANY <—
5 COMMITTEE, CLUB, ASSOCIATION OR OTHER GROUP OF PERSONS WHICH
6 RECEIVES CONTRIBUTIONS OR MAKES EXPENDITURES.

7 ~~(H)~~ (I) THE WORDS "PROSECUTORIAL OFFICER" SHALL MEAN THE <—
8 ATTORNEY GENERAL OF THIS COMMONWEALTH OR THE DISTRICT ATTORNEYS
9 OF THE RESPECTIVE COUNTIES.

10 ~~(I)~~ (J) THE WORD "SUPERVISOR" SHALL MEAN THE SECRETARY OF <—
11 THE COMMONWEALTH OR THE RESPECTIVE COUNTY BOARDS OF ELECTIONS.

12 ~~(J)~~ (K) THE WORDS "VALUABLE THING" SHALL MEAN ALL <—
13 SECURITIES, GOODS, FACILITIES, EQUIPMENT, SUPPLIES, PERSONNEL,
14 ADVERTISING, SERVICES, MEMBERSHIP LISTS COMMONLY OFFERED OR USED
15 COMMERCIALLY OR OTHER IN-KIND CONTRIBUTIONS PROVIDED WITHOUT
16 COMPENSATION, EXCEPT VOLUNTARY PERSONAL SERVICES PROVIDED BY
17 INDIVIDUALS WHO VOLUNTEER A PORTION OR ALL OF THEIR TIME ON
18 BEHALF OF A CANDIDATE OR POLITICAL COMMITTEE, OR AT COMPENSATION
19 WHICH IS BELOW THE USUAL AND NORMAL COMPENSATION FOR THE ITEMS.
20 THE DOLLAR VALUE OF A CONTRIBUTION OF A VALUABLE THING IS THE
21 DIFFERENCE BETWEEN THE USUAL AND NORMAL CHARGE FOR GOODS OR
22 SERVICES AT THE TIME OF THE CONTRIBUTION AND THE AMOUNT CHARGED
23 THE CANDIDATE OR POLITICAL COMMITTEE.

24 SECTION 1622. ORGANIZATION OF POLITICAL COMMITTEES;
25 TREASURER AND ASSISTANT TREASURER; RECORDS OF CANDIDATE AND
26 COMMITTEES.--

27 (A) EVERY POLITICAL COMMITTEE SHALL HAVE A TREASURER AND A
28 CHAIRMAN. NO CONTRIBUTION SHALL BE RECEIVED NOR SHALL ANY
29 EXPENDITURE BE MADE WHEN THERE IS A VACANCY IN EITHER ONE OF
30 THESE OFFICES. ALL MONEY RECEIVED AND DISBURSED BY A POLITICAL

1 COMMITTEE MUST BE DONE THROUGH THE TREASURER OF THE COMMITTEE.

2 (B) EVERY CANDIDATE WHO AUTHORIZES A COMMITTEE OR
3 COMMITTEES, TO RECEIVE AND DISBURSE FUNDS ON BEHALF OF THIS
4 CANDIDACY, SHALL NAME A SOLE TREASURER, IRRESPECTIVE OF THE
5 NUMBER OF COMMITTEES SO AUTHORIZED, TO RECEIVE AND DISBURSE ALL
6 FUNDS FOR SAID COMMITTEES. NOTHING HEREIN SHALL BE CONSTRUED TO
7 PROHIBIT A CANDIDATE FROM RECEIVING OR EXPENDING MONEYS ON HIS
8 BEHALF OR A TREASURER OF A POLITICAL PARTY COMMITTEE OR A
9 COMMITTEE AUTHORIZED TO RECEIVE AND DISTRIBUTE FUNDS ON BEHALF
10 OF MORE THAN ONE (1) CANDIDATE FROM RECEIVING OR EXPENDING
11 MONEYS ON BEHALF OF SAID CANDIDATES, NOTWITHSTANDING THE
12 APPOINTMENT OF A SOLE TREASURER. A SOLE TREASURER MAY DELEGATE
13 AUTHORITY, IN WRITING, TO ANY NUMBER OF ASSISTANT TREASURERS TO
14 RECEIVE AND DISBURSE MONEYS COLLECTED ON BEHALF OF A CANDIDATE
15 FOR ELECTION. NOTHING IN THIS SECTION SHALL PROHIBIT AUTHORIZED
16 INDIVIDUALS FROM SELLING TICKETS OR SOLICITING FUNDS WHEN FUNDS
17 ARE DEPOSITED IN THE CAMPAIGN ACCOUNT OF THE CANDIDATE.

18 (C) EACH CANDIDATE AND COMMITTEE SHALL KEEP RECORDS OF THE
19 NAMES AND ADDRESSES OF EACH PERSON FROM WHOM A CONTRIBUTION OF
20 OVER TEN DOLLARS (\$10) HAS BEEN RECEIVED AND A RECORD OF ALL
21 OTHER INFORMATION REQUIRED TO BE REPORTED PURSUANT TO THIS ACT.
22 ALL SUCH RECORDS SHALL BE RETAINED BY THE CANDIDATE OR TREASURER
23 FOR A PERIOD OF FIVE (5) YEARS AFTER SUCH INFORMATION IS
24 REPORTED AS REQUIRED BY THIS ACT.

25 (D) ANY PERSON RECEIVING ANY CONTRIBUTION ON BEHALF OF A
26 POLITICAL COMMITTEE OR CANDIDATE SHALL TURN SUCH CONTRIBUTIONS
27 OVER TO THE TREASURER OF THAT COMMITTEE OR THE CANDIDATE WITHIN
28 TEN (10) DAYS OF ITS RECEIPT.

29 SECTION 1623. AUTHORIZATION OF POLITICAL COMMITTEE.--NO
30 TREASURER OF ANY POLITICAL COMMITTEE SHALL RECEIVE ANY MONEY ON

1 BEHALF OF A CANDIDATE UNTIL SUCH POLITICAL COMMITTEE SHALL HAVE
2 BEEN SO AUTHORIZED IN WRITING BY THE CANDIDATE ON A FORM
3 DESIGNED BY THE SECRETARY OF THE COMMONWEALTH. A COPY OF SUCH
4 WRITTEN AUTHORIZATION SHALL BE FILED WITH THE APPROPRIATE
5 SUPERVISOR; HOWEVER THE TREASURER OF ANY STATE, COUNTY, CITY,
6 BOROUGH, TOWNSHIP, WARD OR OTHER REGULARLY CONSTITUTED PARTY
7 COMMITTEE OF ANY POLITICAL PARTY OR POLITICAL BODY IS HEREBY
8 AUTHORIZED TO RECEIVE MONEY ON BEHALF OF THE CANDIDATES OF SUCH
9 POLITICAL PARTY OR POLITICAL BODY IN A GENERAL, MUNICIPAL OR
10 SPECIAL ELECTION, WITHOUT SPECIAL WRITTEN AUTHORIZATION FROM
11 SUCH CANDIDATE.

12 SECTION 1624. REGISTRATION.--

13 (A) ANY POLITICAL COMMITTEE WHICH RECEIVES CONTRIBUTIONS IN
14 AN AGGREGATE AMOUNT OF TWO HUNDRED FIFTY DOLLARS (\$250) OR MORE
15 SHALL FILE A REGISTRATION STATEMENT, DESIGNED BY THE SECRETARY
16 OF THE COMMONWEALTH, WITH THE APPROPRIATE SUPERVISOR WITHIN
17 TWENTY (20) DAYS AFTER THE DATE ON WHICH IT RECEIVES SUCH
18 AMOUNT. EACH COMMITTEE IN EXISTENCE SHALL HAVE SIXTY (60) DAYS
19 FROM THE EFFECTIVE DATE OF THIS AMENDATORY ACT TO COMPLY WITH
20 THE REQUIREMENTS OF THIS SECTION.

21 (B) EACH REGISTRATION STATEMENT SHALL CONTAIN THE FOLLOWING
22 INFORMATION:

23 (1) THE NAME, ADDRESSES AND PHONE NUMBERS OF THE POLITICAL
24 COMMITTEE.

25 (2) THE NAME, ADDRESS AND PHONE NUMBER OF THE COMMITTEE'S
26 TREASURER.

27 (3) THE NAME, ADDRESS AND PHONE NUMBER OF THE COMMITTEE'S
28 CHAIRMAN.

29 (4) THE NAMES, ADDRESSES AND RELATIONSHIPS OF OTHER
30 AFFILIATED OR CONNECTED ORGANIZATIONS.

1 ~~(5) THE CANDIDATE CANDIDATES, IF ANY, SUPPORTED AND THEIR~~ <—
2 ~~NAMES AND ADDRESSES. HOWEVER, SHOULD A COMMITTEE SUPPORT MORE~~ <—
3 ~~THAN TWO (2) CANDIDATES, THE COMMITTEE MAY STATE THE TYPE OF~~
4 ~~CANDIDATES SUPPORTED.~~

5 (6) THE BALLOT QUESTION, IF ANY, WHICH THE COMMITTEE INTENDS
6 TO SUPPORT OR OPPOSE.

7 (7) THE BANKS, SAFETY DEPOSIT BOXES OR OTHER REPOSITORIES
8 AND THEIR ADDRESSES USED BY THE COMMITTEE.

9 (8) THE PROPOSED PERIOD OF OPERATION OF THE COMMITTEE.

10 (C) THE COMMITTEE SHALL INFORM THE APPROPRIATE SUPERVISOR OF
11 ANY CHANGES IN THE INFORMATION CONTAINED IN SUBSECTION (B)
12 WITHIN THIRTY (30) DAYS OF THAT CHANGE.

13 (D) NO POLITICAL COMMITTEE WHICH RECEIVES AN AGGREGATE
14 AMOUNT OF CONTRIBUTIONS OF TWO HUNDRED FIFTY DOLLARS (\$250) OR
15 MORE MAY MAKE A CONTRIBUTION TO ANY CANDIDATE OR POLITICAL
16 COMMITTEE UNLESS IT HAS REGISTERED WITH THE APPROPRIATE
17 SUPERVISOR.

18 SECTION 1625. STATEMENTS BY LOBBYISTS. <—

19 (A) ANY LOBBYIST WHO HAS GIVEN A CONTRIBUTION OR PLEDGE
20 REGARDLESS OF AMOUNT, TO ANY CANDIDATE, SHALL BE SUBJECT TO THE
21 SAME REGISTRATION AND REPORTING PROVISIONS AS ARE POLITICAL
22 COMMITTEES.

23 (B) THE REGISTRATION STATEMENT REQUIRED BY SECTION 1624
24 SHALL BE FILED BY A LOBBYIST WHO HAS GIVEN A CONTRIBUTION OR
25 PLEDGE REGARDLESS OF AMOUNT, TO ANY CANDIDATE.

26 ~~SECTION 1625~~ 1626. REPORTING BY CANDIDATE AND POLITICAL <—
27 COMMITTEES AND OTHER PERSONS.--

28 (A) EACH TREASURER OF A POLITICAL COMMITTEE AND EACH
29 CANDIDATE FOR ELECTION TO PUBLIC OFFICE SHALL FILE WITH THE
30 APPROPRIATE SUPERVISOR REPORTS OF RECEIPTS AND EXPENDITURES ON

1 FORMS, DESIGNED BY THE SECRETARY OF THE COMMONWEALTH, IF THE
2 AMOUNT RECEIVED OR EXPENDED OR LIABILITIES INCURRED SHALL EXCEED
3 THE SUM OF TWO HUNDRED FIFTY DOLLARS (\$250). SHOULD SUCH AN
4 AMOUNT NOT EXCEED TWO HUNDRED FIFTY DOLLARS (\$250), THEN THE
5 CANDIDATE OR THE TREASURER OF THE COMMITTEE SHALL FILE A SWORN
6 STATEMENT TO THAT EFFECT WITH THE APPROPRIATE SUPERVISOR RATHER
7 THAN THE REPORT REQUIRED BY THIS SECTION.

8 (B) EACH REPORT SHALL INCLUDE THE FOLLOWING INFORMATION:

9 (1) THE FULL NAME, MAILING ADDRESS, OCCUPATION AND NAME OF
10 EMPLOYER, IF ANY, OR THE PRINCIPAL PLACE OF BUSINESS, IF SELF-
11 EMPLOYED, OF EACH PERSON WHO HAS MADE ONE OR MORE CONTRIBUTIONS
12 TO OR FOR SUCH COMMITTEE OR CANDIDATE WITHIN THE REPORTING
13 PERIOD IN AN AGGREGATE AMOUNT OR VALUE IN EXCESS OF TWO HUNDRED
14 FIFTY DOLLARS (\$250), TOGETHER WITH THE AMOUNT AND DATE OF SUCH
15 CONTRIBUTIONS. THE ACCURACY OF THE INFORMATION FURNISHED TO THE
16 CANDIDATE OR COMMITTEE SHALL BE THE RESPONSIBILITY OF THE
17 CONTRIBUTOR.

18 (2) THE FULL NAME AND MAILING ADDRESS OF EACH PERSON WHO HAS
19 MADE ONE OR MORE CONTRIBUTIONS TO OR FOR SUCH COMMITTEE OR
20 CANDIDATE WITHIN THE REPORTING PERIOD IN AN AGGREGATE AMOUNT OR
21 VALUE IN EXCESS OF FIFTY DOLLARS (\$50), TOGETHER WITH THE AMOUNT
22 AND DATE OF SUCH CONTRIBUTIONS. THE ACCURACY OF THE INFORMATION
23 FURNISHED BY THE CONTRIBUTOR SHALL BE THE RESPONSIBILITY OF THE
24 CONTRIBUTOR.

25 (3) THE TOTAL SUM OF INDIVIDUAL CONTRIBUTIONS MADE TO OR FOR
26 SUCH COMMITTEE OR CANDIDATE DURING THE REPORTING PERIOD AND NOT
27 REPORTED UNDER CLAUSES (1) AND (2).

28 (4) EACH AND EVERY EXPENDITURE, THE DATE MADE, THE FULL NAME
29 AND ADDRESS OF THE PERSON TO WHOM MADE AND THE PURPOSE FOR WHICH
30 SUCH EXPENDITURE WAS MADE.

1 (5) ANY UNPAID DEBTS AND LIABILITIES, WITH THE NATURE AND
2 AMOUNT OF EACH, THE DATE INCURRED AND THE FULL NAME AND ADDRESS
3 OF THE PERSON OWED.

4 (6) THE ACCOUNT SHALL INCLUDE ANY UNEXPENDED BALANCE OF
5 CONTRIBUTIONS OR OTHER RECEIPTS APPEARING FROM THE LAST ACCOUNT
6 FILED.

7 (C) A REPORT FILED UNDER THE PROVISIONS OF THIS ACT SHALL BE
8 ACCOMPANIED BY VOUCHERS FOR ALL SUMS EXPENDED AMOUNTING TO MORE
9 THAN TWENTY-FIVE DOLLARS (\$25).

10 (D) PRE-ELECTION REPORTS BY CANDIDATES FOR OFFICES TO BE
11 VOTED FOR BY THE ELECTORS OF THE STATE AT LARGE AND ALL
12 POLITICAL COMMITTEES, WHICH HAVE EXPENDED MONEY FOR THE PURPOSE
13 OF INFLUENCING THE ELECTION OF SUCH CANDIDATE, SHALL BE FILED
14 NOT LATER THAN FORTY-FIVE (45) DAYS AND TEN (10) DAYS PRIOR TO
15 AN ELECTION, PROVIDED THAT THE INITIAL PRE-ELECTION REPORT SHALL
16 BE COMPLETE AS OF FIFTY (50) DAYS PRIOR TO THE ELECTION AND THE
17 SUBSEQUENT PRE-ELECTION REPORT SHALL BE COMPLETE AS OF FIFTEEN
18 (15) DAYS PRIOR TO THE ELECTION. PRE-ELECTION REPORTS BY ALL
19 OTHER CANDIDATES AND POLITICAL COMMITTEES WHICH HAVE RECEIVED
20 CONTRIBUTIONS OR MADE EXPENDITURES FOR THE PURPOSE OF
21 INFLUENCING AN ELECTION SHALL BE FILED NOT LATER THAN TEN (10)
22 DAYS PRIOR TO AN ELECTION, PROVIDED THAT SUCH REPORT BE COMPLETE
23 AS OF FIFTEEN (15) DAYS PRIOR TO THE ELECTION.

24 (E) ALL CANDIDATES OR POLITICAL COMMITTEES, REQUIRED TO FILE
25 UNDER THIS SECTION, SHALL ALSO FILE A POST-ELECTION REPORT NOT
26 LATER THAN THIRTY (30) DAYS AFTER AN ELECTION WHICH SHALL BE
27 COMPLETE AS OF TWENTY (20) DAYS AFTER THE ELECTION.

28 (F) EACH REPORT SHALL ALSO CONTAIN A SUMMARY, ON A SEPARATE
29 PAGE, OF THE INFORMATION REQUIRED BY SUBSECTION (B).

30 (G) EVERY PERSON, OTHER THAN A POLITICAL COMMITTEE OR

1 CANDIDATE, WHO MAKES INDEPENDENT EXPENDITURES EXPRESSLY
2 ADVOCATING THE ELECTION OR DEFEAT OF A CLEARLY IDENTIFIED
3 CANDIDATE, OR QUESTION APPEARING ON THE BALLOT, OTHER THAN BY
4 CONTRIBUTION TO A POLITICAL COMMITTEE OR CANDIDATE, IN AN
5 AGGREGATE AMOUNT IN EXCESS OF ONE HUNDRED DOLLARS (\$100) DURING
6 A CALENDAR YEAR SHALL FILE WITH THE APPROPRIATE SUPERVISOR, ON A
7 FORM PREPARED BY THE SECRETARY OF THE COMMONWEALTH, A REPORT
8 WHICH SHALL INCLUDE THE SAME INFORMATION REQUIRED OF A CANDIDATE
9 OR POLITICAL COMMITTEE RECEIVING SUCH A CONTRIBUTION AND,
10 ADDITIONALLY, THE NAME OF THE CANDIDATE OR QUESTION SUPPORTED OR
11 OPPOSED. REPORTS REQUIRED BY THIS SUBSECTION SHALL BE FILED ON
12 DATES ON WHICH REPORTS BY POLITICAL COMMITTEES MAKING
13 EXPENDITURES ARE REQUIRED TO REPORT UNDER THIS SECTION.

14 (H) ALL REPORTS REQUIRED TO BE FILED PURSUANT TO THIS
15 SECTION SHALL BE FILED PURSUANT TO SECTION 1630.

16 SECTION ~~1626~~ 1627. ANNUAL REPORTS.--

<—

17 (A) ALL POLITICAL COMMITTEES AND CANDIDATES, INCLUDING THOSE
18 COMMITTEES AND CANDIDATES FILING REPORTS UNDER SECTION 1625 (D)
19 AND (E), SHALL FILE A REPORT ON JANUARY 31 OF EACH YEAR WHICH
20 SHALL BE COMPLETE AS OF JANUARY 15 OF EACH YEAR. SUCH REPORTS
21 SHALL BE FILED ANNUALLY AT THIS TIME UNTIL THERE IS NO BALANCE
22 OR DEBT IN THE REPORT OF THE CANDIDATE OR POLITICAL COMMITTEE.
23 SUCH REPORTS SHALL BE CUMULATIVE. HOWEVER, IF THERE HAS BEEN NO
24 CHANGE IN THE ACCOUNT, THEN THE CANDIDATE OR POLITICAL COMMITTEE
25 SHALL FILE A STATEMENT TO THAT EFFECT WITH THE APPROPRIATE
26 SUPERVISOR.

27 (B) ANY POLITICAL COMMITTEE REQUIRED TO BE REGISTERED UNDER
28 THIS ACT AND NOT REPORTING UNDER SECTION 1625 SHALL FILE AN
29 ANNUAL REPORT UNDER THIS SECTION.

30 SECTION ~~1627~~ 1628. LATE CONTRIBUTIONS AND INDEPENDENT

<—

1 EXPENDITURES.--

2 ANY CANDIDATE OR POLITICAL COMMITTEE, AUTHORIZED BY A
3 CANDIDATE AND CREATED SOLELY FOR THE PURPOSE OF INFLUENCING AN
4 ELECTION ON BEHALF OF THAT CANDIDATE, WHICH RECEIVES ANY
5 CONTRIBUTION OR PLEDGE OF FIVE HUNDRED DOLLARS (\$500) OR MORE,
6 AND ANY PERSON MAKING AN INDEPENDENT EXPENDITURE, AS DEFINED BY
7 THIS ACT, OF FIVE HUNDRED DOLLARS (\$500) OR MORE AFTER THE FINAL
8 PRE-ELECTION REPORT HAS BEEN DEEMED COMPLETED SHALL REPORT SUCH
9 CONTRIBUTION, PLEDGE OR EXPENDITURE TO THE APPROPRIATE
10 SUPERVISOR BY TELEGRAM. SUCH TELEGRAM SHALL BE SENT BY THE
11 CANDIDATE, CHAIRMAN OR TREASURER OF THE POLITICAL COMMITTEE
12 WITHIN TWENTY-FOUR (24) HOURS OF RECEIPT OF THE CONTRIBUTION. IT
13 SHALL BE THE DUTY OF THE SUPERVISOR TO CONFIRM THE SUBSTANCE OF
14 SUCH TELEGRAM. ANY CANDIDATE, CHAIRMAN OR TREASURER MAY ALSO
15 COMPLY WITH THIS SECTION BY APPEARING PERSONALLY BEFORE SUCH
16 SUPERVISOR AND REPORTING SUCH LATE CONTRIBUTIONS OR PLEDGES.

17 SECTION ~~1628~~ 1629. OATH OF COMPLIANCE; PERJURY;
18 DISQUALIFICATION FROM OFFICE; COMMERCIAL USE.--

19 (A) EACH REPORT SHALL BE SUBSCRIBED AND SWORN TO BY THE
20 INDIVIDUAL SUBMITTING THE REPORT. IN ADDITION, ANY REPORT FILED
21 BY A POLITICAL COMMITTEE, AUTHORIZED BY A CANDIDATE AND CREATED
22 SOLELY FOR THE PURPOSE OF INFLUENCING AN ELECTION ON BEHALF OF
23 THAT CANDIDATE, MUST BE ACCOMPANIED BY AN AFFIDAVIT FROM THAT
24 CANDIDATE WHICH PROVIDES THAT, TO THE BEST OF THE CANDIDATE'S
25 KNOWLEDGE, THE POLITICAL COMMITTEE HAS NOT VIOLATED ANY
26 PROVISION OF THIS ACT.

27 (B) ANY WILFULLY FALSE, FRAUDULENT OR MISLEADING STATEMENT
28 OR ENTRY MADE BY ANY CANDIDATE OR TREASURER IN ANY STATEMENT OR
29 REPORT UNDER OATH AS REQUIRED BY THIS ARTICLE, SHALL CONSTITUTE
30 THE CRIME OF PERJURY, AND BE PUNISHABLE AS SUCH ACCORDING TO THE

1 LAWS OF THIS COMMONWEALTH.

2 (C) ANY PERSON HEREAFTER CONVICTED OF SUCH AN ACT SHALL BE
3 DISQUALIFIED FROM HOLDING PUBLIC OFFICE IN THIS COMMONWEALTH.
4 CONVICTION, AS USED IN THIS SUBSECTION, SHALL INCLUDE A FINDING
5 OR VERDICT OF GUILT, AN ADMISSION OF GUILT, OR A PLEA OF NOLO
6 CONTENDERE.

7 (D) IT SHALL BE UNLAWFUL FOR ANY PERSON TO USE THE CONTENTS
8 OF ANY STATEMENT OR REPORT FILED UNDER THIS ARTICLE FOR ANY
9 COMMERCIAL PURPOSE WHATSOEVER.

10 SECTION ~~1629~~ 1630. RESIDUAL FUNDS.--

<—

11 IN THE EVENT THAT A CANDIDATE OR POLITICAL COMMITTEE
12 TERMINATES ITS FINANCIAL ACTIVITY AS SUCH, THEN THE DISBURSEMENT
13 OF ANY RESIDUAL FUNDS REMAINING IN SUCH AN ACCOUNT SHALL BE MADE
14 IN THE FOLLOWING MANNER:

15 (1) ANY SUCH FUNDS MAY BE USED FOR ANY EXPENDITURE AS
16 DEFINED BY THIS ARTICLE; AND

17 (2) MAY BE RETURNED, PRO RATA, TO THE CONTRIBUTORS BY THE
18 CANDIDATE OR TREASURER OF THE POLITICAL COMMITTEE. A FINAL
19 REPORT MUST BE MADE BY THE NEXT JANUARY 31 IN ACCORDANCE WITH
20 SECTION ~~1626~~ 1627.

<—

21 SECTION ~~1630~~ 1631. PLACE OF FILING.--

<—

22 ANY STATEMENT OR REPORT REQUIRED BY THIS ARTICLE TO BE FILED,
23 SHALL BE DONE IN THE FOLLOWING MANNER:

24 (1) (I) ANY CANDIDATE, INDIVIDUAL, OR COMMITTEE REQUIRED TO
25 FILE A REPORT CONCERNING ANY CANDIDATE SHALL FILE THAT STATEMENT
26 OR REPORT IN THE OFFICE OF THE SUPERVISOR WITH WHOM THE
27 CANDIDATE FILED A NOMINATION PAPER, NOMINATION CERTIFICATE,
28 NOMINATION PETITIONS OR WITH THE SUPERVISOR WITH WHOM THE
29 CANDIDATE WOULD HAVE FILED SUCH IF HE HAD SOUGHT NOMINATION IN
30 THAT MANNER.

1 (II) ALL CANDIDATES AND POLITICAL COMMITTEES, AUTHORIZED BY
2 CANDIDATES AND CREATED SOLELY FOR THE PURPOSE OF INFLUENCING THE
3 ELECTION OF SUCH CANDIDATES, WHO MUST FILE REPORTS WITH THE
4 SECRETARY OF THE COMMONWEALTH, SHALL ALSO FILE COPIES OF THEIR
5 REPORTS IN THE COUNTY IN WHICH THE CANDIDATE RESIDES.

6 (2) (I) ANY STATEMENT OR REPORT CONCERNING AN ISSUE TO BE
7 VOTED ON BY THE ELECTORS OF THE STATE AT LARGE SHALL BE FILED
8 WITH THE SECRETARY OF THE COMMONWEALTH.

9 (II) ANY STATEMENT OR REPORT CONCERNING ANY OTHER ISSUE TO
10 BE VOTED ON BY THE ELECTORS OF THIS COMMONWEALTH SHALL BE FILED
11 IN THE COUNTY WHEREIN THE ELECTORS RESIDE.

12 (3) HOWEVER, IF ANY REPORT OF ANY POLITICAL COMMITTEE
13 CONCERNS BOTH CANDIDATES WHO FILE FOR NOMINATION WITH THE
14 SECRETARY OF THE COMMONWEALTH AND CANDIDATES WHO FILE WITH A
15 COUNTY BOARD OF ELECTIONS, THEN SUCH REPORT SHALL BE FILED WITH
16 THE SECRETARY OF THE COMMONWEALTH.

17 SECTION ~~1631~~ 1632. LATE FILING FEE; CERTIFICATE OF FILING.-- <—

18 (A) A LATE FILING FEE FOR EACH REPORT OR STATEMENT OF
19 EXPENDITURES AND CONTRIBUTIONS WHICH IS NOT FILED WITHIN THE
20 PRESCRIBED PERIOD SHALL BE IMPOSED AS FOLLOWS. SUCH FEE SHALL BE
21 TEN DOLLARS (\$10) FOR EACH DAY OR PART OF A DAY EXCLUDING
22 SUNDAYS AND HOLIDAYS THAT A REPORT IS OVERDUE. AN ADDITIONAL FEE
23 OF TEN DOLLARS (\$10) IS DUE FOR EACH OF THE FIRST SIX (6) DAYS
24 THAT A REPORT IS OVERDUE. THE MAXIMUM FEE PAYABLE WITH RESPECT
25 TO A SINGLE REPORT IS TWO HUNDRED FIFTY DOLLARS (\$250). A
26 SUPERVISOR SHALL RECEIVE AN OVERDUE REPORT OR STATEMENT EVEN IF
27 ANY LATE FILING FEE DUE HAS NOT BEEN PAID BUT THE REPORT OR
28 STATEMENT SHALL NOT BE CONSIDERED OFFICIALLY FILED UNTIL ALL
29 FEES HAVE BEEN PAID UPON THE RECEIPT BY THE SUPERVISOR OF AN
30 OVERDUE REPORT. NO FURTHER LATE FILING FEES SHALL BE INCURRED

1 NOTWITHSTANDING THE FACT THAT THE REPORT OR STATEMENT IS NOT
2 CONSIDERED OFFICIALLY FILED. THE LATE FILING FEE IS THE PERSONAL
3 LIABILITY OF THE CANDIDATE OR TREASURER OF A POLITICAL COMMITTEE
4 AND CANNOT BE PAID FROM CONTRIBUTIONS TO THE CANDIDATE OR
5 COMMITTEE, NOR MAY SUCH FEE BE CONSIDERED AN EXPENDITURE.

6 (B) NO PERSON SHALL BE DEEMED ELECTED TO A PUBLIC OFFICE
7 UNDER THE LAWS OF THIS COMMONWEALTH OR ENTER UPON THE DUTIES
8 THEREOF, OR RECEIVE ANY SALARY OR EMOLUMENTS THEREFROM UNTIL ALL
9 OF THE REPORTS AND STATEMENTS OF CONTRIBUTIONS AND EXPENDITURES
10 REQUIRED TO BE FILED BY ANY CANDIDATE AND TREASURERS OF
11 COMMITTEES AUTHORIZED BY SUCH CANDIDATE AND DUE BEFORE THE
12 PERSON MAY TAKE OFFICE, HAVE BEEN FILED. NO CANDIDATE MAY BE
13 SWORN IN UNTIL THE APPROPRIATE SUPERVISOR CERTIFIES THAT ALL
14 REQUIRED REPORTS HAVE BEEN FILED, AND NO OFFICIAL OF THE
15 COMMONWEALTH OR ANY OF ITS POLITICAL SUBDIVISIONS MAY ISSUE A
16 COMMISSION OR ADMINISTER AN OATH OF OFFICE UNTIL THAT OFFICIAL
17 HAS RECEIVED THIS CERTIFICATION. NO CERTIFICATION SHALL BE
18 ISSUED UNTIL THE SUPERVISOR HAS RECEIVED POST ELECTION REPORTS
19 OF ANY CANDIDATE AND TREASURER OF COMMITTEES AUTHORIZED BY SUCH
20 CANDIDATE.

21 SECTION ~~1632~~ 1633. CONTRIBUTIONS OR EXPENDITURES BY NATIONAL <—
22 BANKS, CORPORATIONS OR LABOR ORGANIZATIONS.--

23 (A) IT IS UNLAWFUL FOR ANY NATIONAL OR STATE BANK, OR ANY
24 CORPORATION, INCORPORATED UNDER THE LAWS OF THIS OR ANY OTHER
25 STATE OR ANY FOREIGN COUNTRY, EXCEPT THOSE CORPORATIONS FORMED
26 PRIMARILY FOR POLITICAL PURPOSES OR AS A POLITICAL COMMITTEE, OR
27 ANY LABOR ORGANIZATION TO MAKE A CONTRIBUTION OR EXPENDITURE IN
28 CONNECTION WITH THE ELECTION OF ANY CANDIDATE OR FOR ANY
29 POLITICAL PURPOSE WHATEVER EXCEPT IN CONNECTION WITH ANY
30 QUESTION TO BE VOTED ON BY THE ELECTORS OF THIS COMMONWEALTH.

1 FURTHERMORE, IT SHALL BE UNLAWFUL FOR ANY CANDIDATE, POLITICAL
2 COMMITTEE, OR OTHER PERSON TO KNOWINGLY ACCEPT OR RECEIVE ANY
3 CONTRIBUTION PROHIBITED BY THIS SECTION, OR FOR ANY OFFICER OR
4 ANY DIRECTOR OF ANY CORPORATION, BANK, OR ANY LABOR ORGANIZATION
5 TO CONSENT TO ANY CONTRIBUTION OR EXPENDITURE BY THE
6 CORPORATION, BANK OR LABOR ORGANIZATION, AS THE CASE MAY BE,
7 PROHIBITED BY THIS SECTION.

8 (B) FOR THE PURPOSES OF THIS SECTION, THE TERM "LABOR
9 ORGANIZATION" SHALL MEAN ANY ORGANIZATION OF ANY KIND, OR ANY
10 AGENCY OR EMPLOYE REPRESENTATION COMMITTEE OR PLAN, IN WHICH
11 EMPLOYES PARTICIPATE AND WHICH EXISTS FOR THE PURPOSE, IN WHOLE
12 OR IN PART, OF DEALING WITH EMPLOYERS CONCERNING GRIEVANCES,
13 LABOR DISPUTES, WAGES, RATES OF PAY, HOURS OF EMPLOYMENT, OR
14 CONDITIONS OF WORK.

15 (C) NO PROVISION OF THE LAWS OF THIS COMMONWEALTH SHALL BE
16 DEEMED TO PROHIBIT A LOAN OF MONEY BY A NATIONAL OR STATE BANK
17 MADE IN ACCORDANCE WITH THE APPLICABLE BANKING LAWS AND
18 REGULATIONS IN THE ORDINARY COURSE OF BUSINESS; HOWEVER, ANY
19 SUCH LOANS SHALL BE INCLUDED IN THE REPORTS FILED BY THE
20 CANDIDATES AND POLITICAL COMMITTEES.

21 (D) NO PROVISION OF THE LAWS OF THIS COMMONWEALTH SHALL BE
22 DEEMED TO PROHIBIT DIRECT PRIVATE COMMUNICATIONS BY A
23 CORPORATION TO ITS MEMBERS AND THEIR FAMILIES ON ANY SUBJECT,
24 NONPARTISAN REGISTRATION AND GET-OUT-VOTE CAMPAIGNS BY A
25 CORPORATION AIMED AT ITS STOCKHOLDERS AND THEIR FAMILIES OR BY A
26 LABOR ORGANIZATION AIMED AT ITS MEMBERS AND THEIR FAMILIES, AND
27 THE ESTABLISHMENT, AND ADMINISTRATION BY A CORPORATION OR A
28 LABOR ORGANIZATION, OF A SEPARATE SEGREGATED FUND WHICH FUND IS
29 TO BE CREATED BY VOLUNTARY INDIVIDUAL CONTRIBUTIONS, SOLICITED
30 BY THE CORPORATION OR LABOR ORGANIZATION, AND TO BE UTILIZED FOR

1 POLITICAL PURPOSES, PROVIDED THAT ANY SEPARATE SEGREGATED FUND
2 SHALL BE DEEMED TO BE A POLITICAL COMMITTEE FOR PURPOSES OF THIS
3 ARTICLE.

4 SECTION ~~1633~~ 1634. CONTRIBUTIONS BY AGENTS; ANONYMOUS <—
5 CONTRIBUTIONS; BRIBERY FOR CONTRIBUTIONS; CASH CONTRIBUTIONS.--

6 (A) IT SHALL BE UNLAWFUL FOR ANY PERSON TO MAKE ANY
7 CONTRIBUTION WITH FUNDS DESIGNATED OR GIVEN TO HIM FOR THE
8 PURPOSE BY ANY OTHER PERSON. EACH PERSON MAKING A CONTRIBUTION
9 SHALL DO SO ONLY IN HIS OWN NAME.

10 (B) IT SHALL BE UNLAWFUL FOR ANY CANDIDATE OR POLITICAL
11 COMMITTEE TO DISBURSE MONEY RECEIVED FROM AN ANONYMOUS SOURCE.
12 ALL SUCH MONEY SHALL BE HANDED OVER TO THE STATE TREASURER
13 WITHIN TWENTY (20) DAYS OF ITS RECEIPT.

14 ~~(C) IT SHALL BE UNLAWFUL FOR ANY PERSON TO OFFER ANYTHING OF~~ <—
15 ~~VALUE IN RETURN FOR A CONTRIBUTION TO A CANDIDATE OR POLITICAL~~
16 ~~COMMITTEE.~~

17 ~~(D)~~ (C) IT SHALL BE UNLAWFUL FOR ANY PERSON TO MAKE <—
18 CONTRIBUTIONS OF CURRENCY OF THE UNITED STATES OR CURRENCY OF
19 ANY FOREIGN COUNTRY TO OR FOR THE BENEFIT OF ANY CANDIDATE WHICH
20 IN THE AGGREGATE, EXCEED ONE HUNDRED DOLLARS (\$100), WITH
21 RESPECT TO ANY CANDIDATE FOR ELECTION.

22 SECTION ~~1634~~ 1635. INDEPENDENT AUDIT.-- <—

23 (A) EVERY TWO (2) YEARS, THE SECRETARY OF THE COMMONWEALTH
24 SHALL CONTRACT FOR THE SERVICES OF A CERTIFIED PUBLIC ACCOUNTANT
25 OR CERTIFIED PUBLIC ACCOUNTING FIRM. SUCH CONTRACT SHALL BE
26 AWARDED ON A BID BASIS AND NO CERTIFIED PUBLIC ACCOUNTANT OR
27 CERTIFIED PUBLIC ACCOUNTING FIRM SHALL BE ELIGIBLE TO OBTAIN
28 SUCH A CONTRACT FOR TWO (2) SUCCESSIVE CONTRACT PERIODS.

29 (B) THE SECRETARY OF THE COMMONWEALTH SHALL SELECT BY
30 LOTTERY, AT A PUBLIC DRAWING, FORTY (40) DAYS AFTER EACH

1 ELECTION THE NAMES OF TEN (10) PER CENT OF ALL CANDIDATES FILING
2 WITH THE SECRETARY OF THE COMMONWEALTH.

3 (C) THE CERTIFIED PUBLIC ACCOUNTANT SHALL AUDIT THE REPORTS
4 OF ALL SUCH CANDIDATES AND THOSE COMMITTEES, AUTHORIZED AND
5 CREATED SOLELY FOR THE PURPOSES OF INFLUENCING AN ELECTION ON
6 BEHALF OF THOSE CANDIDATES.

7 (D) THE ACCOUNTANTS SHALL CONDUCT THEIR AUDIT IN ACCORD WITH
8 SOUND ACCOUNTING PRINCIPLES AND SHALL MAKE FINDINGS OF ANY
9 POSSIBLE VIOLATIONS OF THIS ACT WITH RESPECT TO CAMPAIGN
10 CONTRIBUTIONS OR EXPENSES. ALL AUDITED CANDIDATES AND THEIR
11 COMMITTEES SHALL FURNISH ANY RECORDS TO THE ACCOUNTANTS WHICH
12 THE ACCOUNTANTS DEEM NECESSARY FOR THE COMPLETION OF THEIR WORK.

13 (E) THE ACCOUNTANT SHALL REPORT HIS OR HER FINDINGS TO THE
14 SECRETARY OF THE COMMONWEALTH WHO SHALL MAKE PUBLIC THE REPORT
15 OF THE ACCOUNTANTS.

16 (F) THE ACCOUNTANTS SHALL ALSO FURNISH A REPORT OF THEIR
17 FINDINGS TO THE ATTORNEY GENERAL FOR THE INSTITUTION OF SUCH
18 CRIMINAL PROCEEDINGS AS HE OR SHE SHALL DEEM NECESSARY.

19 SECTION ~~1635~~ 1636. AUDIT OF EXPENSE ACCOUNTS.--

<—

20 (A) WITHIN NINETY (90) DAYS AFTER THE LAST DAY FOR FILING
21 ANY REPORT AND AFFIDAVIT REQUIRED BY THIS ACT, ANY FIVE (5)
22 ELECTORS OF THE COMMONWEALTH OR OF THE POLITICAL DIVISION MAY
23 PRESENT A PETITION TO THE COURT OF COMMON PLEAS OF THE COUNTY IN
24 WHICH IS SITUATED THE OFFICE WHERE SUCH ORIGINAL REPORT HAS BEEN
25 FILED OR WITH THE COMMONWEALTH COURT IN THE CASE OF ORIGINAL
26 REPORT FILED WITH THE SECRETARY OF THE COMMONWEALTH FOR AN AUDIT
27 OF SUCH REPORT. THEREUPON THE COURT SHALL DIRECT THE OFFICER OR
28 BOARD WITH WHOM SUCH REPORT HAS BEEN FILED TO CERTIFY THE SAME
29 TO THE COURT FOR AUDIT AND MAY, IN ITS DISCRETION, REQUIRE
30 SECURITY TO BE ENTERED FOR COSTS. THE COURT MAY, IN ITS

1 DISCRETION, APPOINT AN AUDITOR TO AUDIT SUCH REPORT, BUT THE
2 FEES OF SUCH AUDITOR SHALL BE A REASONABLE SUM PER DAY FOR EACH
3 DAY ACTUALLY ENGAGED. THE COURT OR AUDITOR SHALL FIX A DAY AS
4 EARLY AS MAY BE CONVENIENT FOR THE AUDIT, AT WHICH TIME THE
5 PERSON BY WHOM SUCH REPORT HAS BEEN FILED SHALL BE REQUIRED TO
6 BE PRESENT IN PERSON TO VOUCH HIS REPORT AND TO ANSWER ON OATH
7 OR AFFIRMATION ALL SUCH RELEVANT QUESTIONS CONCERNING THE SAME,
8 AS MAY BE PUT TO HIM BY THE PETITIONERS OR THEIR COUNSEL. THE
9 AUDITOR SHALL ISSUE SUBPOENAS TO ALL PARTIES WHOM THE
10 PETITIONERS OR THE FILER OF THE REPORT MAY REQUIRE, TO GIVE
11 EVIDENCE CONCERNING SUCH REPORT, AND HE SHALL DETERMINE, SUBJECT
12 TO EXCEPTION, ALL QUESTIONS AS TO THE ADMISSIBILITY OF EVIDENCE,
13 AND SHALL FILE A COPY OF THE EVIDENCE WITH HIS FINDINGS. IF UPON
14 THE AUDIT, THE COURT SHALL DECIDE THAT THE REPORT WAS FALSE IN
15 ANY SUBSTANTIAL MANNER, OR THAT ANY EXPENSES HAVE BEEN INCURRED
16 IN CONTRAVENTION OF THIS ACT, THE COSTS OF SAID AUDIT SHALL BE
17 PAID BY THE FILER OF THE REPORT, OTHERWISE THE COURT SHALL MAKE
18 SUCH ORDER AS TO PAYMENT OF COSTS AS SHALL BE JUST IN THE
19 CIRCUMSTANCES.

20 (B) IF THE COURT SHALL DECIDE UPON THE AUDIT THAT ANY
21 PERSON, WHETHER A CANDIDATE OR NOT, HAS ACCEPTED CONTRIBUTIONS
22 OR INCURRED EXPENSE OR HAS EXPENDED OR DISBURSED MONEY IN
23 CONTRAVENTION OF THIS ACT, OR HAS OTHERWISE VIOLATED ANY OF THE
24 PROVISIONS OF THIS ACT, IT SHALL CERTIFY ITS DECISION TO THE
25 APPROPRIATE PROSECUTORIAL OFFICER AND IT SHALL THEREUPON BE THE
26 DUTY OF SUCH OFFICER TO INSTITUTE CRIMINAL PROCEEDINGS AS HE OR
27 SHE SHALL DEEM NECESSARY.

28 (C) NO PERSON SHALL BE EXCUSED FROM ANSWERING ANY QUESTION
29 IN ANY PROCEEDING UNDER THIS SECTION ON THE GROUND THAT SUCH
30 ANSWER WOULD TEND TO INCRIMINATE HIM, BUT NO SUCH ANSWER SHALL

1 BE USED AS EVIDENCE AGAINST SUCH PERSON IN ANY CRIMINAL ACTION
2 OR PROSECUTION WHATEVER, EXCEPT IN AN ACTION FOR PERJURY IN
3 GIVING SUCH TESTIMONY.

4 SECTION ~~1636~~ 1637. PROCEEDINGS AGAINST CANDIDATES VIOLATING <—
5 PROVISIONS RELATING TO CONTRIBUTIONS AND EXPENDITURES.--IF ANY
6 CANDIDATE, WHO HAS BEEN NOMINATED OR ELECTED, IS FOUND BY ANY
7 COURT OF THIS COMMONWEALTH IN CRIMINAL PROCEEDINGS TO HAVE
8 WILFULLY ACCEPTED ANY CONTRIBUTIONS OR MADE ANY EXPENDITURES IN
9 CONTRAVENTION OF THIS ACT, EITHER DIRECTLY OR THROUGH THE
10 TREASURER OF ANY COMMITTEE AUTHORIZED BY SECTION 1623 OR THROUGH
11 ANY OTHER PERSON WITH HIS KNOWLEDGE OR CONSENT, WHETHER
12 EXPRESSLY OR NOT, THAT FACT SHALL BE CERTIFIED BY THE COURT TO
13 THE ATTORNEY GENERAL. IN THE CASE OF A CANDIDATE FOR NOMINATION
14 THE ATTORNEY GENERAL SHALL MAKE A MOTION TO THE PROPER COURT TO
15 REMOVE THE CANDIDATE'S NAME FROM THE BALLOT. IN THE CASE OF AN
16 ELECTED CANDIDATE THE ATTORNEY GENERAL SHALL FILE IN THE PROPER
17 COURT A SUGGESTION FOR A WRIT OF QUO WARRANTO AGAINST SUCH
18 CANDIDATE. IF UPON THE HEARING OF SUCH MOTION OR WRIT, IT SHALL
19 BE DETERMINED THAT SUCH CANDIDATE HAS WILFULLY ACCEPTED ANY
20 CONTRIBUTION, OR MADE ANY EXPENDITURE IN CONTRAVENTION OF THIS
21 ACT, EITHER DIRECTLY OR THROUGH THE TREASURER OF ANY COMMITTEE
22 AUTHORIZED BY SECTION 1623 TO PAY OR INCUR PRIMARY OR ELECTION
23 EXPENSES IN FURTHERANCE OF HIS CANDIDACY OR THROUGH ANY OTHER
24 PERSON WITH HIS KNOWLEDGE AND CONSENT, WHETHER EXPRESSLY
25 AUTHORIZED OR NOT, JUDGMENT OF OUSTER FROM NOMINATION, IN THE
26 CASE OF A CANDIDATE FOR NOMINATION WHERE THE JUDGEMENT IS
27 ENTERED PRIOR TO THE SUBSEQUENT ELECTION, OR JUDGEMENT OF OUSTER
28 FROM OFFICE IN THE CASE OF A CANDIDATE FOR ELECTION OR IN THE
29 CASE OF A CANDIDATE FOR NOMINATION WHO HAS BEEN SUBSEQUENTLY
30 ELECTED TO THE OFFICE FOR WHICH HE WAS NOMINATED, SHALL BE

1 ENTERED AGAINST HIM. HOWEVER, IN THE CASE OF A CANDIDATE ELECTED
2 TO THE OFFICE OF SENATOR OR REPRESENTATIVE IN THE GENERAL
3 ASSEMBLY, THE DECISION OF THE COURT SHALL BE CERTIFIED TO THE
4 PRESIDENT OF THE SENATE OR TO THE SPEAKER OF THE HOUSE OF
5 REPRESENTATIVES, AS THE CASE MAY BE.

6 SECTION ~~1637~~ 1638. ADVERTISING.--

<—

7 (A) WHENEVER ANY PERSON MAKES AN EXPENDITURE FOR THE PURPOSE
8 OF FINANCING COMMUNICATIONS EXPRESSLY ADVOCATING THE ELECTION OR
9 DEFEAT OF A CANDIDATE, OR BALLOT QUESTIONS, THROUGH ANY
10 BROADCASTING STATION, NEWSPAPER, MAGAZINE, OUTDOOR ADVERTISING
11 FACILITY, DIRECT MAILING, OR ANY OTHER TYPE OF GENERAL PUBLIC
12 POLITICAL ADVERTISING, SUCH COMMUNICATION:

13 (1) IF AUTHORIZED BY THE CANDIDATE, HIS AUTHORIZED POLITICAL
14 COMMITTEE OR THEIR AGENTS, SHALL CLEARLY AND CONSPICUOUSLY STATE
15 THAT THE COMMUNICATION HAS BEEN AUTHORIZED.

16 (2) IF NOT AUTHORIZED BY A CANDIDATE, HIS AUTHORIZED
17 POLITICAL COMMITTEE, OR THEIR AGENTS, SHALL CLEARLY AND
18 CONSPICUOUSLY STATE THE NAME OF THE PERSON WHO MADE OR FINANCED
19 THE EXPENDITURE FOR THE COMMUNICATION, INCLUDING, IN THE CASE OF
20 A POLITICAL COMMITTEE THE NAME OF ANY AFFILIATED OR CONNECTED
21 ORGANIZATION.

22 (B) (1) NO CANDIDATE FOR PUBLIC OFFICE, OR POLITICAL
23 COMMITTEE OR PARTY ACTING ON HIS BEHALF, SHALL PLACE ANY
24 ADVERTISEMENT REFERRING TO AN OPPOSING CANDIDATE FOR THE SAME
25 OFFICE WHICH IS TO BE BROADCAST OR PUBLISHED DURING THE ONE
26 HUNDRED AND TWENTY (120) HOURS IMMEDIATELY PRIOR TO AN ELECTION
27 OR PUBLISHED IN A WEEKLY NEWSPAPER OR PERIODICAL DURING THE
28 EIGHT (8) DAYS IMMEDIATELY PRIOR TO AN ELECTION, WITH A
29 TELEVISION OR RADIO BROADCASTING STATION, NEWSPAPER OR
30 PERIODICAL, UNLESS HE HAS FIRST GIVEN A COPY OF THE MATERIAL TO

1 APPEAR OR BE USED IN THE ADVERTISEMENT AND REASONABLE NOTICE TO
2 THE OPPOSING CANDIDATE AND THE COUNTY BOARD OF ELECTIONS OF THE
3 COUNTY WHERE THE ADVERTISEMENT IS TO BE PLACED IN SUFFICIENT
4 TIME FOR A REPLY ADVERTISEMENT TO BE PUBLISHED OR BROADCAST AT
5 THE SAME APPROXIMATE TIME OR IN THE SAME ISSUE OF THE
6 PUBLICATION OR ON THE SAME RADIO OR TELEVISION BROADCAST AS THE
7 ORIGINAL ADVERTISEMENT AND PRIOR TO THE ELECTION IN QUESTION.

8 (2) THE REASONABLE NOTICE REFERRED TO IN CLAUSE (1) SHALL BE
9 GIVEN IN WRITING BY REGISTERED MAIL, RETURN RECEIPT REQUESTED,
10 ADDRESSEE SIGNATURE ONLY, WITH A TRUE COPY OF THE MATERIAL
11 ENCLOSED TO APPEAR OR BE USED IN THE ADVERTISEMENT SO AS TO
12 AFFORD THE RECIPIENT SUFFICIENT TIME TO PLACE A REPLY
13 ADVERTISEMENT TO BE PUBLISHED OR BROADCAST AT THE SAME
14 APPROXIMATE TIME OR IN THE SAME ISSUE OF THE PUBLICATION OR ON
15 THE SAME RADIO OR TELEVISION BROADCAST AS THE ORIGINAL
16 ADVERTISEMENT AND PRIOR TO THE ELECTION IN QUESTION.

17 (3) ANY PERSON, FIRM OR CORPORATION, POLITICAL COMMITTEE OR
18 PARTY OR MEMBER THEREOF, VIOLATING ANY OF THE PROVISIONS OF THIS
19 SECTION, SHALL BE GUILTY OF A MISDEMEANOR, AND UPON CONVICTION
20 THEREOF, SHALL BE SENTENCED TO PAY A FINE NOT EXCEEDING ONE
21 THOUSAND DOLLARS (\$1,000), OR TO UNDERGO AN IMPRISONMENT OF NOT
22 LESS THAN ONE (1) MONTH NOR MORE THAN TWO (2) YEARS, OR BOTH, IN
23 THE DISCRETION OF THE COURT.

24 ~~(C) ANY PERSON HEREAFTER CONVICTED OF VIOLATING SUBSECTION~~ <—
25 ~~(B) SHALL BE DISQUALIFIED FROM HOLDING PUBLIC OFFICE IN THIS~~
26 ~~COMMONWEALTH FOR A PERIOD OF ONE (1) YEAR. CONVICTION, AS USED~~
27 ~~IN THIS SUBSECTION, SHALL INCLUDE A FINDING OR VERDICT OF GUILT,~~
28 ~~AN ADMISSION OF GUILT, OR A PLEA OF NOLO CONTENDERE.~~

29 SECTION 1638 1639. POWERS AND DUTIES OF THE SUPERVISOR.--IT <—
30 SHALL BE THE DUTY OF THE SUPERVISOR TO:

1 (1) FURNISH TO THE PERSONS, SUBJECT TO THE PROVISIONS OF
2 THIS ACT, A BOOKKEEPING AND REPORTING MANUAL AND THE PRESCRIBED
3 FORMS FOR THE MAKING OF THE REPORTS AND STATEMENTS REQUIRED TO
4 BE FILED UNDER THIS ARTICLE.

5 (2) DEVELOP A FILING SYSTEM CONSISTENT WITH THE PURPOSES OF
6 THIS ARTICLE.

7 (3) MAKE THE REPORTS AND STATEMENTS FILED WITH HIM OR HER
8 AVAILABLE FOR PUBLIC INSPECTION AND COPYING, COMMENCING AS SOON
9 AS PRACTICABLE BUT NOT LATER THAN THE END OF THE SECOND DAY
10 FOLLOWING THE DAY DURING WHICH IT WAS RECEIVED, AND TO PROVIDE
11 COPIES OF ANY SUCH REPORT OR PARTS THEREOF, AS REQUESTED BY ANY
12 PERSON, AT THE EXPENSE OF SUCH PERSON, AT THE RATE NOT TO EXCEED
13 THE ACTUAL COST OF REPRODUCTION.

14 (4) PRESERVE SUCH REPORTS AND STATEMENTS FOR A PERIOD OF
15 FIVE (5) YEARS FROM THE DATE OF FILING.

16 (5) COMPILE AND MAINTAIN A CURRENT LIST OF ALL STATEMENTS
17 PERTAINING TO EACH CANDIDATE AND POLITICAL COMMITTEE.

18 (6) MAKE FROM TIME TO TIME INQUIRIES AND FIELD
19 INVESTIGATIONS WITH RESPECT TO REPORTS AND STATEMENTS FILED
20 UNDER THE PROVISIONS OF THIS ARTICLE AND WITH RESPECT TO ALLEGED
21 FAILURES TO FILE ANY REPORT OR STATEMENT REQUIRED UNDER
22 PROVISIONS OF THIS ARTICLE.

23 (7) REPORT APPARENT VIOLATIONS OF THIS ARTICLE TO THE
24 APPROPRIATE LAW ENFORCEMENT AUTHORITIES.

25 (8) COLLECT ANY FINES RELATING TO THE FILING OF LATE REPORTS
26 AND TRANSMIT ALL SUCH FINES COLLECTED TO THE APPROPRIATE FISCAL
27 OFFICER OF THE RECEIVING SUPERVISOR.

28 (9) INFORM EACH CANDIDATE OR COMMITTEE WHICH HAS FAILED TO
29 FILE OF THAT FACT.

30 (10) PUBLISH A LIST OF ALL THOSE CANDIDATES AND THEIR

1 COMMITTEES WHO HAVE FAILED TO FILE REPORTS AS REQUIRED BY THIS
2 ACT WITHIN SIX (6) DAYS OF THEIR FAILURE TO COMPLY.

3 SECTION ~~1639~~ 1640. ADDITIONAL POWERS AND DUTIES OF THE <—
4 SECRETARY OF THE COMMONWEALTH.--THE SECRETARY OF THE
5 COMMONWEALTH SHALL HAVE THE FOLLOWING ADDITIONAL POWERS AND
6 DUTIES:

7 (1) TO SERVE AS THE STATE CLEARING HOUSE FOR INFORMATION
8 CONCERNING THE ADMINISTRATION OF THIS ACT.

9 (2) TO PRESCRIBE SUITABLE RULES AND REGULATIONS TO CARRY OUT
10 THE PROVISIONS OF THIS ACT.

11 (3) TO DEVELOP THE PRESCRIBED FORMS REQUIRED BY THE
12 PROVISIONS OF THIS ARTICLE FOR THE MAKING OF THE REPORTS AND
13 STATEMENTS REQUIRED TO BE FILED WITH THE SUPERVISOR.

14 (4) TO PREPARE A MANUAL SETTING FORTH RECOMMENDED UNIFORM
15 METHODS OF BOOKKEEPING AND REPORTING WHICH SHALL BE FURNISHED BY
16 THE SUPERVISOR TO THE PERSON REQUIRED TO FILE SUCH REPORTS AND
17 STATEMENTS AS REQUIRED BY THIS ARTICLE.

18 (5) TO EXAMINE THE CONTRIBUTIONS TO STATE LEGISLATIVE AND
19 STATEWIDE CANDIDATES AND PUBLISH A LIST OF ALL THOSE POLITICAL
20 COMMITTEES WHO HAVE CONTRIBUTED TO CANDIDATES AND WHO HAVE
21 FAILED TO FILE REPORTS AS REQUIRED BY THIS ACT WITHIN SIX (6)
22 DAYS OF THEIR FAILURE TO COMPLY.

23 SECTION ~~1640~~ 1641. REPORTS BY BUSINESS ENTITIES; PUBLICATION <—
24 BY SECRETARY OF THE COMMONWEALTH.--

25 (A) ANY BUSINESS ENTITY INCLUDING BUT NOT LIMITED TO A
26 CORPORATION, COMPANY, ASSOCIATION, PARTNERSHIP OR SOLE
27 PROPRIETORSHIP, WHICH HAS BEEN AWARDED NON-BID CONTRACTS FROM
28 THE COMMONWEALTH OR ITS POLITICAL SUBDIVISIONS DURING THE
29 PRECEDING CALENDAR YEAR, SHALL REPORT BY FEBRUARY 15 OF EACH
30 YEAR TO THE SECRETARY OF THE COMMONWEALTH AN ITEMIZED LIST OF

1 ALL POLITICAL CONTRIBUTIONS KNOWN TO THE BUSINESS ENTITY BY
2 VIRTUE OF THE KNOWLEDGE POSSESSED BY EVERY OFFICER, DIRECTOR,
3 ASSOCIATE, PARTNER, LIMITED PARTNER OR INDIVIDUAL OWNER THAT HAS
4 BEEN MADE BY:

5 (1) ANY OFFICER, DIRECTOR, ASSOCIATE, PARTNER, LIMITED
6 PARTNER, INDIVIDUAL OWNER OR MEMBERS OF THEIR IMMEDIATE FAMILY;
7 OR

8 (2) ANY EMPLOYE OR MEMBERS OF HIS IMMEDIATE FAMILY WHOSE
9 POLITICAL CONTRIBUTION EXCEEDED ONE THOUSAND DOLLARS (\$1,000)
10 DURING THE PRECEDING YEAR.

11 FOR THE PURPOSES OF THIS SUBSECTION, "IMMEDIATE FAMILY" MEANS A
12 PERSON'S SPOUSE AND ANY UNEMANCIPATED CHILD.

13 (B) IT SHALL BE THE DUTY OF THE SECRETARY OF THE
14 COMMONWEALTH TO PUBLISH SIXTY (60) DAYS AFTER FEBRUARY 15 OF
15 EACH YEAR A COMPLETE ITEMIZED LIST OF ALL CONTRIBUTIONS GIVEN
16 UNDER THE PROVISIONS OF SUBSECTION (A). THIS LIST SHALL BE A
17 MATTER OF PUBLIC RECORD OPEN TO PUBLIC INSPECTION AND COPIES
18 MADE AVAILABLE AT COST TO ANY INDIVIDUAL WHO REQUESTS THEM.

19 SECTION ~~1641~~ 1642. ENFORCEMENT.--

<—

20 (A) THE ATTORNEY GENERAL SHALL HAVE PROSECUTORIAL
21 JURISDICTION OVER ALL VIOLATIONS CONNECTED WITH ANY STATEMENT OR
22 REPORT AND THE CONTENTS THEREOF WHICH IS TO BE FILED WITH THE
23 SECRETARY OF THE COMMONWEALTH.

24 (B) THE DISTRICT ATTORNEYS OF THE RESPECTIVE COUNTIES SHALL
25 HAVE JURISDICTION OVER ANY OTHER VIOLATIONS COMMITTED UNDER THIS
26 ACT.

27 (C) THE DISTRICT ATTORNEY OF ANY COUNTY IN WHICH A
28 VIOLATION, REFERRED TO IN SUBSECTION (A) OCCURS, HAS CONCURRENT
29 POWERS AND RESPONSIBILITIES WITH THE ATTORNEY GENERAL OVER SUCH
30 VIOLATIONS.

SECTION 3. SECTION 1841 OF THE ACT IS AMENDED TO READ:

SECTION 1841. RECEIPTS [AND DISBURSEMENTS] OF PRIMARY AND ELECTION EXPENSES BY UNAUTHORIZED PERSONS.--ANY [TREASURER OR OTHER MEMBER OF] PERSON OR ANY POLITICAL COMMITTEE WHO RECEIVES [OR DISBURSES] MONEY ON BEHALF OF ANY CANDIDATE [OR INCURS ANY LIABILITY FOR THE PRIMARY OR ELECTION EXPENSES OF ANY CANDIDATE] WITHOUT BEING AUTHORIZED TO DO SO UNDER THE PROVISIONS OF SECTION [1603 OF THIS ACT] 1623, SHALL BE GUILTY OF A MISDEMEANOR, AND, UPON CONVICTION THEREOF, SHALL BE SENTENCED TO PAY A FINE NOT EXCEEDING [ONE THOUSAND (\$1,000) DOLLARS] FIVE THOUSAND DOLLARS (\$5,000), OR TO UNDERGO AN IMPRISONMENT OF NOT LESS THAN ONE (1) MONTH NOR MORE THAN TWO (2) YEARS, OR BOTH, IN THE DISCRETION OF THE COURT.

SECTION 4. SECTION 1842 OF THE ACT IS REPEALED.

SECTION 5. SECTION 1843 OF THE ACT, AMENDED JUNE 3, 1943 (P.L.851, NO.358), IS AMENDED TO READ:

SECTION 1843. CONTRIBUTIONS BY CORPORATIONS OR LABOR ORGANIZATIONS.--ANY CORPORATION OR [UNINCORPORATED ASSOCIATION] LABOR ORGANIZATION, AS DEFINED BY SECTION 1632, WHICH SHALL PAY, GIVE OR LEND OR AGREE TO PAY, GIVE OR LEND ANY MONEY BELONGING TO SUCH CORPORATION OR [UNINCORPORATED ASSOCIATION] LABOR ORGANIZATION OR IN ITS CUSTODY OR CONTROL, IN VIOLATION OF THE PROVISIONS OF SECTION [1605 OF THIS ACT,] 1632, SHALL BE GUILTY OF A MISDEMEANOR, AND, UPON CONVICTION THEREOF, SHALL BE SENTENCED TO PAY A FINE OF NOT LESS THAN [FIVE HUNDRED \$500) DOLLARS] ONE THOUSAND DOLLARS (\$1,000) NOR MORE THAN [FIVE THOUSAND (\$5000) DOLLARS] TEN THOUSAND DOLLARS (\$10,000). ANY DIRECTOR, OFFICER, AGENT OR EMPLOYEE OF ANY CORPORATION OR [UNINCORPORATED ASSOCIATION] LABOR ORGANIZATION WHO SHALL ON BEHALF OF SUCH CORPORATION OR [UNINCORPORATED ASSOCIATION] LABOR

1 ORGANIZATION PAY, GIVE OR LEND OR AUTHORIZE TO BE PAID, GIVEN OR
2 LENT ANY MONEY BELONGING TO SUCH CORPORATION OR [UNINCORPORATED
3 ASSOCIATION] LABOR ORGANIZATION OR IN ITS CUSTODY OR CONTROL IN
4 VIOLATION OF THE PROVISIONS OF SECTION [1605 OF THIS ACT] 1632,
5 SHALL BE GUILTY OF A MISDEMEANOR, AND, UPON CONVICTION THEREOF,
6 SHALL BE SENTENCED TO PAY A FINE NOT EXCEEDING [ONE THOUSAND
7 (\$1000) DOLLARS] TEN THOUSAND DOLLARS (\$10,000), OR TO UNDERGO
8 AN IMPRISONMENT OF NOT LESS THAN ONE (1) MONTH NOR MORE THAN TWO
9 (2) YEARS, OR BOTH, IN THE DISCRETION OF THE COURT.

10 SECTION 6. SECTION 1844 OF THE ACT IS REPEALED.

11 SECTION 7. SECTION 1845 OF THE ACT IS AMENDED TO READ:

12 SECTION 1845. FAILURE TO FILE EXPENSE ACCOUNT.--ANY
13 CANDIDATE OR TREASURER OF A POLITICAL COMMITTEE OR PERSON ACTING
14 AS SUCH TREASURER WHO SHALL FAIL TO FILE AN ACCOUNT OF PRIMARY
15 OR ELECTION EXPENSES, AS REQUIRED BY [SECTION 1607 OF] THIS ACT,
16 SHALL BE GUILTY OF A MISDEMEANOR, AND, UPON CONVICTION THEREOF,
17 SHALL BE SENTENCED TO PAY A FINE NOT EXCEEDING [ONE THOUSAND
18 (\$1,000) DOLLARS] FIVE THOUSAND DOLLARS (\$5,000), OR TO UNDERGO
19 AN IMPRISONMENT OF NOT LESS THAN ONE (1) MONTH NOR MORE THAN TWO
20 (2) YEARS, OR BOTH, IN THE DISCRETION OF THE COURT.

21 SECTION 8. SECTION 1846 OF THE ACT IS REPEALED.

22 ~~SECTION 9. THE SUM OF \$75,000 IS SPECIFICALLY APPROPRIATED~~ <—
23 ~~TO THE BUREAU OF ELECTIONS IN THE DEPARTMENT OF STATE TO~~
24 ~~IMPLEMENT THE PROVISIONS OF THIS ACT.~~

25 SECTION 10 9. THIS ACT SHALL TAKE EFFECT ON JANUARY 1, 1979 <—
26 AND SHALL BE APPLICABLE TO CAMPAIGN FINANCING FOR ALL ELECTIONS <—
27 THEREAFTER.