

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 642

Session of  
1977

INTRODUCED BY ENGLEHART, BELLOMINI, LINCOLN, O'CONNELL, GALLEN,  
TRELLO, McCALL, ABRAHAM AND COWELL, MARCH 16, 1977

REFERRED TO COMMITTEE ON LABOR RELATIONS, MARCH 16, 1977

### AN ACT

1 Amending the act of August 5, 1941 (P.L.752, No.286), entitled  
2 "An act regulating and improving the civil service of certain  
3 departments and agencies of the Commonwealth; vesting in the  
4 State Civil Service Commission and a Personnel Director  
5 certain powers and duties; providing for classification of  
6 positions, adoption of compensation schedules and  
7 certification of payrolls; imposing duties upon certain  
8 officers and employees of the Commonwealth; authorizing  
9 service to other State departments or agencies and political  
10 subdivisions of the Commonwealth in matters relating to civil  
11 service; defining certain crimes and misdemeanors; imposing  
12 penalties; making certain appropriations, and repealing  
13 certain acts and parts thereof," further providing for the  
14 political activities of individuals covered by civil service.

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

17 Section 1. Section 904, act of August 5, 1941 (P.L.752,  
18 No.286), known as the "Civil Service Act," amended August 27,  
19 1963 (P.L.1257, No.520), is amended to read:

20 Section 904. Prohibition of Political Activity.--

21 Notwithstanding any other provision of State law or regulations  
22 adopted thereunder, employees of the classified service shall  
23 have the full right to actively participate in political  
24 management and political campaigns except as provided hereafter

1 in sections 904, 905 and 906. No person in the classified  
2 service shall [be a member of or delegate or alternate to any  
3 political convention, nor shall he participate at any such  
4 convention, except in the performance of his official duty or as  
5 a visitor, nor shall he serve as a member of any committee of  
6 any political party, or take an active part in political  
7 management or in political campaigns, or] use his office or  
8 position to influence political movements or to influence the  
9 political action of any officer or employe in the classified  
10 service, [nor shall he circulate or seek signatures to any  
11 nominations or other petition required by any primary or  
12 election law, nor shall he seek or accept election, nomination  
13 or appointment as an officer of a political club or  
14 organization, or serve as a member of a committee of any such  
15 club or organization, nor shall he in any manner participate in  
16 or interfere with the conduct of any election or the preparation  
17 therefor at the polling place or with the election officers  
18 while counting the votes or returning the election material to  
19 the place provided by law for that purpose, save only for the  
20 purpose of making and depositing his own ballot as speedily as  
21 it reasonably can be done, nor shall he be within the polling  
22 place or within fifty feet thereof except for the purpose of  
23 carrying out official duties and of ordinary travel or residence  
24 during the period of time beginning with one hour preceding the  
25 opening of the polls for holding such election and ending with  
26 the time when the election officers shall have finished counting  
27 the votes and have left the polling place for the purpose of  
28 depositing the election material in the place provided by law  
29 for that purpose, excepting only police officers, who may  
30 temporarily approach or enter the polling place in order to make

1 any arrest permitted by law or for the purpose of preserving  
2 order and in each case remain only long enough to accomplish the  
3 duties aforesaid after which the said officers shall at once  
4 withdraw: Provided, however, That the rights of any individual  
5 as a citizen are not impaired hereby, and the prerogative to  
6 attend meetings, to hear or see any candidate or nominee, nor to  
7 express one's individual opinion, shall remain inviolate.] or  
8 directly or indirectly coerce, attempt to coerce or command a  
9 State or local officer or employe to pay, lend or contribute  
10 anything of value to a party, committee, organization, agency or  
11 person for political purposes. No person in the classified  
12 service shall be a candidate for public office in any partisan  
13 election, including a primary election; provided however that  
14 candidacy for political party office, even in a partisan  
15 election is not prohibited.

16 Section 2. Section 905 of the act is amended to read:

17 Section 905. Prohibition of Assessments.--No person shall  
18 orally or by written or printed communication, directly or  
19 indirectly, demand, solicit, collect or receive or be in any  
20 manner concerned in demanding, soliciting, collecting or  
21 receiving any money or valuable thing or any assessment,  
22 subscription or contribution, whether voluntary or involuntary,  
23 from any officer or employe in the classified service for any  
24 political purpose [whatever] whatsoever as a condition of their  
25 employment or continued employment. No person in the classified  
26 service shall orally or by written or printed communication,  
27 directly or indirectly, demand, solicit, collect or receive or  
28 be in any manner concerned in demanding, soliciting, collecting  
29 or receiving any money or valuable thing for any political  
30 purpose [whatever] whatsoever as a condition of their employment

1 or continued employment. No person in the service of the  
2 Commonwealth shall remove, suspend, furlough, demote or promote  
3 or in any manner change the official status or compensation of  
4 any other person in the classified service or promise or  
5 threaten to do so for withholding or neglecting to make any  
6 contribution of money or service or other valuable thing for any  
7 political purpose. [No person shall take part in preparing any  
8 political assessment, subscription or contribution with the  
9 intent that the same shall be sent or presented to or collected  
10 from any person in the classified service, and no person shall  
11 knowingly send or present, directly or indirectly, in person or  
12 by letter, any political assessment, subscription or  
13 contribution to, or request its payment by, any person in the  
14 classified service.]

15 Section 3. Section 906 of the act, amended August 27, 1963  
16 (P.L.1257, No.520), is amended to read:

17 Section 906. Removal and Disqualification of Officers and  
18 Employees.--Any person holding a position in the classified  
19 service who violates any of the provisions of this act [or of  
20 the rules made thereunder] shall be [immediately separated from  
21 the service. It shall be the duty of the appointing authority of  
22 the State Agency in which the offending person is employed to  
23 remove him at once in accordance with the provisions of this  
24 act. Any person removed under this section shall for a period of  
25 one year be ineligible for reappointment to any position in the  
26 classified service.] guilty of a misdemeanor, and shall be  
27 punished accordingly, and if any officer or employe in the  
28 classified service is found guilty of violating any of the  
29 provisions of this section, he is automatically separated from  
30 the service.

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