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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2825 Session of  
2004

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INTRODUCED BY MUSTIO, TURZAI, ARGALL, ARMSTRONG, BAKER, BALDWIN,  
BIRMELIN, BOYD, CAPPELLI, CAUSER, CLYMER, COLEMAN, COSTA,  
CRAHALLA, DAILEY, DALLY, DENLINGER, EGOLF, FAIRCHILD, HANNA,  
HARHART, HARPER, HARRIS, HENNESSEY, HERMAN, HERSHEY, HESS,  
HICKERNELL, HUTCHINSON, LEH, MARSICO, McNAUGHTON, METCALFE,  
MILLARD, NICKOL, PETRARCA, PISTELLA, RAYMOND, READSHAW,  
REICHLEY, RUBLEY, SATHER, SAYLOR, SCAVELLO, SCHRODER, FLICK,  
SCRIMENTI, R. STEVENSON, T. STEVENSON, TIGUE, TRUE, WALKO,  
WATSON, WILT, WRIGHT, YUDICHAK AND S. MILLER, AUGUST 16, 2004

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REFERRED TO COMMITTEE ON RULES, AUGUST 16, 2004

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AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated  
2 Statutes, further providing for public official financial  
3 interest relating to gaming.

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

6 Section 1. Section 1512 of Title 4 of the Pennsylvania  
7 Consolidated Statutes, added July 5, 2004 (P.L. , No.71), is  
8 amended to read:

9 § 1512. Public official financial interest.

10 (a) General rule.--Except as may be provided by rule or  
11 order of the Pennsylvania Supreme Court, no executive-level  
12 State employee, public official, party officer or immediate  
13 family member thereof shall have, at or following the effective  
14 date of this part, a financial interest in or be employed,  
15 directly or indirectly, by any licensed racing entity or

1 licensed gaming entity, or any holding, affiliate, intermediary  
2 or subsidiary company, thereof, or any such applicant, nor  
3 solicit or accept, directly or indirectly, any complimentary  
4 service or discount from any licensed racing entity or licensed  
5 gaming entity which he knows or has reason to know is other than  
6 a service or discount that is offered to members of the general  
7 public in like circumstances during his or hers status as an  
8 executive-level State employee, public official or party officer  
9 and for one year following termination of the person's status as  
10 an executive-level State employee, public official or party  
11 officer.

12 (b) Definitions.--As used in this section, the following  
13 words and phrases shall have the meanings given to them in this  
14 subsection:

15 "Executive-level State employee." The Governor, Lieutenant  
16 Governor, cabinet members, deputy secretaries, the Governor's  
17 office executive staff, any State employee with discretionary  
18 powers which may affect the outcome of a State agency's decision  
19 in relation to a private corporation or business, with respect  
20 to any matter covered by this part or any executive employee who  
21 by virtue of his job function could influence the outcome of  
22 such a decision.

23 "Financial interest." Owning or holding securities  
24 [exceeding 1% of the equity or fair market value of the] of a  
25 licensed racing entity, manufacturer licensee, supplier licensee  
26 or licensed gaming entity, its holding company, affiliate,  
27 intermediary or subsidiary business. A financial interest shall  
28 not include any such stock that is held in a blind trust over  
29 which the executive-level State employee, public official, party  
30 officer or immediate family member thereof may not exercise any

1 managerial control or receive income during the tenure of office  
2 and the period under subsection (a) or of a mutual fund as  
3 defined in 20 Pa.C.S. § 7201 (relating to definitions).

4 "Immediate family." A parent, spouse, minor or unemancipated  
5 child, brother or sister.

6 "Party officer." A member of a national committee; a  
7 chairman, vice chairman, secretary, treasurer or counsel of a  
8 State committee or member of the executive committee of a State  
9 committee; a county chairman, vice chairman, counsel, secretary  
10 or treasurer of a county committee; or a city chairman, vice  
11 chairman, counsel, secretary or treasurer of a city committee.

12 "Public official." Any person elected by the public or  
13 elected or appointed by a governmental body or an appointed  
14 official in the executive, legislative or judicial branch of  
15 this Commonwealth or any political subdivision thereof, provided  
16 that it shall not include members of advisory boards that have  
17 no authority to expend public funds other than reimbursement for  
18 personal expense or to otherwise exercise the power of the  
19 Commonwealth or any political subdivision or commissioner of any  
20 authority or joint-state commission.

21 Section 2. This act shall take effect in 60 days.