

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 332 Session of
2007

INTRODUCED BY RAMALEY, SOLOBAY, GERGELY, CASORIO, HARHAI, COHEN,
DALEY, FABRIZIO, FREEMAN, KENNEY, KOTIK, LEACH, O'NEILL,
PALLONE, PETRONE AND SURRA, FEBRUARY 9, 2007

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 9, 2007

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, providing for political activity for
3 firefighters; and making repeals of inconsistent laws.

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

6 Section 1. Title 53 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1392. Political activity for firefighters.

9 (a) General prohibition.--A firefighter who is employed by a
10 municipality shall not:

11 (1) Use his official authority or influence for the
12 purpose of interfering with or affecting the result of an
13 election or a nomination for elective office.

14 (2) Use his official authority or influence to coerce or
15 solicit any person to make a contribution to a political
16 party, political fund or a candidate for elective office.

17 (3) Be a candidate for elective office, except for the
18 following offices:

1 (i) Office of school director.

2 (ii) Office of magisterial district judge.

3 (iii) Judge of the Traffic Court of Philadelphia.

4 (iv) Judge of the Philadelphia Municipal Court.

5 (v) Judge of a court of common pleas.

6 (b) Permitted acts.--A firefighter who is employed by a
7 municipality may participate in any political activity not
8 prohibited by subsection (a) provided that the firefighter is
9 not on duty or in uniform.

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

13 "Contribution." A gift, subscription, loan, advance, deposit
14 of money, allotment of money or anything of value given or
15 transferred by one person to another, including in cash, by
16 check, by draft, through a payroll deduction or allotment plan
17 or by pledge or promise, regardless of whether it is
18 enforceable.

19 "Election." A primary, municipal, special or general
20 election.

21 "Employed." Paid rather than volunteer.

22 "Municipality." A county, city, borough, incorporated town,
23 township or home rule municipality.

24 "Political fund." A fund, organization, political action
25 committee or other entity that, for purposes of influencing in
26 any way the outcome of any partisan election, receives or
27 expends money or anything of value or transfers money or
28 anything of value to any other fund, political party, candidate,
29 organization, political action committee or any other entity.

30 Section 2. (a) The following acts and parts of acts are

1 repealed insofar as they are inconsistent with this act:

2 Section 644 of the act of June 24, 1931 (P.L.1206, No.331),
3 known as The First Class Township Code.

4 Section 1190 of the act of February 1, 1966 (1965 P.L.1656,
5 No.581), known as The Borough Code.

6 (b) All other acts and parts of acts are repealed insofar as
7 they are inconsistent with this act.

8 Section 3. This act shall take effect in 60 days.