

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1720 Session of  
2007

INTRODUCED BY LEVDANSKY, RUBLEY, McCALL, STEIL, D. EVANS,  
BRENNAN, CARROLL, DePASQUALE, FRANKEL, FREEMAN, GERBER,  
GODSHALL, GOODMAN, GRUCELA, HARHAI, HORNAMAN, JOSEPHS, KORTZ,  
LEACH, MUNDY, PETRONE, SCAVELLO, SIPTROTH, SWANGER,  
TANGRETTI, R. TAYLOR, VITALI, WAGNER AND WALKO, JULY 9, 2007

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JULY 9, 2007

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," providing for contribution limitations and  
12 independent expenditures.

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

15 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known  
16 as the Pennsylvania Election Code, is amended by adding a  
17 section to read:

18 Section 1627.1. Limitations on Certain Contributions.--

19 (a) Aggregate contributions, including in-kind  
20 contributions, from any person to any candidate for the office  
21 of Senator or Representative in the General Assembly, court of

common pleas or a county or local office, his authorized committee or agent shall not exceed two hundred dollars (\$200) for each election. Furthermore, for each election, no such candidate, his authorized committee or agent shall accept or receive more than two hundred dollars (\$200) in aggregate contributions, including in-kind contributions from any person.

(b) Aggregate contributions, including in-kind contributions, from any person to any candidate for Statewide office, his authorized committee or agent shall not exceed two thousand dollars (\$2,000) for each election. Furthermore, for each election, no candidate, his authorized committee or agent shall accept or receive more than two thousand dollars (\$2,000) in aggregate contributions, including in-kind contributions from any person.

(c) Aggregate contributions, including in-kind contributions, from a single political action committee, its affiliate or agent or candidate's political committee, its affiliate or agent to any candidate for the office of Senator or Representative in the General Assembly, court of common pleas or a county or local office, his authorized committee or agent shall not exceed one thousand dollars (\$1,000) for each election. Furthermore, for each election, no candidate for such office, his authorized committee or agent shall accept or receive more than one thousand dollars (\$1,000) in aggregate contributions, including in-kind contributions, from a single political action committee or agent or candidate's political committee.

(d) Aggregate contributions, including in-kind contributions, from a single political action committee, its affiliate or agent or candidate's political committee to any

candidate for Statewide office, his authorized committee or agent shall not exceed ten thousand dollars (\$10,000) for each election. Furthermore, for each election, no candidate, his authorized committee or agent shall accept or receive more than ten thousand dollars (\$10,000) in aggregate contributions, including in-kind contributions, from a single political action committee, its affiliate or agent or candidate's political committee.

(e) Aggregate contributions, including in-kind contributions, from a single political party committee, its affiliate or agent to any candidate for the office of Senator or Representative in the General Assembly, court of common pleas or a county or local office, his authorized committee or agent, shall not exceed five thousand dollars (\$5,000) per election. Furthermore, no candidate for the office of Senator or Representative in the General Assembly, court of common pleas or a county or local office, his authorized committee or agent, shall accept or receive more than five thousand dollars (\$5,000) in aggregate contributions from any single political party committee, its affiliate or agent.

(f) Aggregate contributions, including in-kind contributions, from a single political party committee, its affiliate or agent to any candidate for Statewide office, his authorized committee or agent, or any political action committee, its affiliate or agent or political party committee, its affiliate or agent, or any other political committee, its affiliate or agent, shall not exceed twenty thousand dollars (\$20,000) per election. Furthermore, no candidate for Statewide office, his authorized committee or agent or any political action committee or political committee shall accept or receive

1 more than twenty thousand dollars (\$20,000) in aggregate  
2 contributions from any single political party committee, its  
3 affiliate or agent.

4 (g) Aggregate contributions, including in-kind  
5 contributions, from any person or a single political action  
6 committee, its affiliate or agent or any single candidate's  
7 political committee, its affiliate or agent to a single  
8 political action committee, its affiliate or agent shall not  
9 exceed five thousand dollars (\$5,000) during any calendar year.  
10 Furthermore, for each election, no political action committee,  
11 its affiliate or agent shall accept or receive more than five  
12 thousand dollars (\$5,000) in aggregate contributions, including  
13 in-kind contributions, from a single political action committee,  
14 its affiliate or agent during any calendar year.

15 (h) Aggregate contributions from any person, a single  
16 candidate's political committee, its affiliate or agent or a  
17 single political action committee, its affiliate or agent or any  
18 other political committee to a single political party committee  
19 shall not exceed twenty thousand dollars (\$20,000) in a calendar  
20 year. Furthermore, no single political party committee shall  
21 accept or receive more than twenty thousand dollars (\$20,000) in  
22 aggregate contributions from any single candidate's political  
23 committee or agent or a single political action committee, its  
24 affiliate or agent or any political committee.

25 (i) No person shall make contributions in accordance with  
26 this section aggregating more than twenty-five thousand dollars  
27 (\$25,000) in any calendar year.

28 (j) A gift, subscription, loan, advance or deposit of money  
29 or anything of value to a candidate shall be considered a  
30 contribution both by the original source of the contribution and

by any intermediary or conduit if the intermediary or conduit:

(1) exercises any direction over the making of the contribution; or

(2) solicits the contribution or arranges for the contribution made and directly or indirectly makes the candidate aware of such intermediary or conduit's role in soliciting or arranging the contribution for the candidate.

(k) For purposes of subsection (j), a contribution shall not be considered to be a contribution by an intermediary or conduit to the candidate if:

(1) the intermediary or conduit has been retained by the candidate's committee for the purpose of fundraising and is reimbursed for expenses incurred in soliciting contributions;

(2) in the case of an individual, the candidate has expressly authorized the intermediary or conduit to engage in fundraising, or the individual occupies a significant position within the candidate's campaign organization; or

(3) in the case of a political committee, the intermediary or conduit is the authorized committee of the candidate.

(l) No candidate for Statewide office who accepts public funding, if a system of public funding of campaigns is in effect, may contribute more than \$25,000 per election from his personal funds. No candidate for the offices of Senator or Representative in the General Assembly who accepts public funding, if a system for public funding of campaigns is in effect, may contribute more than ten thousand dollars (\$10,000) per election from his personal funds.

(m) The provisions of this section are applicable to any contribution made for the purpose of influencing any election to all public offices except Federal offices.

1     (n) For purposes of this section, any contribution made to a  
2     candidate in a year other than the calendar year in which the  
3     election is held with respect to which such contribution is  
4     made, is considered to be made during the calendar year in which  
5     such election is held.

6     Section 2. The dollar figures contained in section 1627.1 of  
7     the act shall be adjusted annually at a rate equal to the  
8     average percentage change in the All-Urban Consumer Price Index  
9     for the Pittsburgh, Philadelphia and Scranton standard  
10    metropolitan statistical areas as published by the Bureau of  
11    Labor Statistics of the United States Department of Labor, or  
12    any successor agency, occurring in the prior calendar year. The  
13    base year shall be 2003. The average shall be calculated and  
14    certified annually by the Pennsylvania State Board of Elections  
15    by adding the percentage increase in each of the three areas and  
16    dividing by three. The calculation and resulting new figures  
17    shall be published for the dollar figures contained in section  
18    1627.1 of the act in March in the Pennsylvania Bulletin.

19    Section 3. The provisions of this act are severable. If any  
20    provision of this act or its application to any person or  
21    circumstance is held invalid, the invalidity shall not affect  
22    other provisions or applications of this act which can be given  
23    effect without the invalid provision or application.

24    Section 4. This act shall take effect in 120 days.