

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 986 Session of 2007

INTRODUCED BY EICHELBERGER, SCARNATI, FOLMER, RAFFERTY, ORIE, DINNIMAN, GREENLEAF, REGOLA, PIPPY, BOSCOLA, VANCE, WAUGH, D. WHITE, EARLL, PICCOLA, ARMSTRONG, BRUBAKER, COSTA, ROBBINS, BAKER, RHOADES, WONDERLING, WOZNIAK, TOMLINSON AND C. WILLIAMS, JUNE 20, 2007

SENATOR PICCOLA, STATE GOVERNMENT, AS AMENDED, OCTOBER 2, 2007

AN ACT

1 Providing for banning bonuses provided to Commonwealth employees <—
2 that are granted outside of standard payroll procedures.
3 EMPLOYEES OF COMMONWEALTH AGENCIES. <—

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the COMMONWEALTH <—
8 AGENCY Bonus Ban Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Bonus." Any monetary compensation given to an employee
14 above and beyond the employee's annual salary. The term does not
15 include reimbursement for mileage and expenses for official
16 business.

17 "Government entity." The term includes the General Assembly, <—

1 ~~the Pennsylvania Higher Education Assistance Agency, the courts~~  
2 ~~of common pleas, the Commonwealth Court, the Superior Court, the~~  
3 ~~Supreme Court, the Governor's Office and all departments and~~  
4 ~~agencies under the control of the Governor's Office.~~

5 ~~"Payroll procedures." Any procedure established in writing~~  
6 ~~within a government entity to govern payroll and salary~~  
7 ~~compensation.~~

8 ~~Section 3. Payroll procedure.~~

9 ~~All government entities must establish a written procedure~~  
10 ~~detailing the criteria which merits the dispensation of a bonus,~~  
11 ~~including the amount permitted to be dispensed.~~

12 ~~Section 4. Bonus ban.~~

13 ~~All government entities shall not dispense a bonus outside of~~  
14 ~~their established payroll procedures.~~

15 ~~Section 5. Penalty.~~

16 ~~Employees of government entities receiving compensation~~  
17 ~~outside of their established payroll procedures shall reimburse~~  
18 ~~their employer for the full amount of the bonus.~~

19 "COMMONWEALTH AGENCY." ANY OF THE FOLLOWING: <—

20 (1) THE GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL,  
21 AUDITOR GENERAL, STATE TREASURER AND THE DEPARTMENTS,  
22 OFFICES, BOARDS, AUTHORITIES, COMMISSIONS AND OTHER AGENCIES  
23 OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF THIS  
24 COMMONWEALTH, WHETHER OR NOT SUBJECT TO THE SUPERVISION AND  
25 CONTROL OF THE GOVERNOR.

26 (2) THE LEGISLATIVE BRANCH OF THE GOVERNMENT OF THIS  
27 COMMONWEALTH.

28 (3) ANY COURT AND ANY OFFICE OF THE UNIFIED JUDICIAL  
29 SYSTEM OF THIS COMMONWEALTH.

30 SECTION 3. BONUS BAN.

1 NO COMMONWEALTH AGENCY MAY PAY A BONUS TO ANY OF ITS  
2 EMPLOYEES.

3 SECTION 4. PENALTIES.

4 (A) REIMBURSEMENT.--EMPLOYEES OF COMMONWEALTH AGENCIES WHO  
5 ARE PAID A BONUS AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL  
6 REIMBURSE THEIR EMPLOYER FOR THE FULL AMOUNT OF THE BONUS.

7 (B) PENALTY.--AN INDIVIDUAL WHO INTENTIONALLY APPROVES OR  
8 AUTHORIZES A BONUS PROHIBITED BY THIS ACT COMMITS A MISDEMEANOR  
9 OF THE THIRD DEGREE.

10 Section ~~6~~ 5. Effective date.

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11 This act shall take effect in ~~60~~ 30 days.

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