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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2374 Session of  
2010

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INTRODUCED BY BRADFORD, GIBBONS, BROWN, BURNS, CLYMER, CUTLER,  
DeLUCA, GEIST, HORNAMAN, MARKOSEK, MURT, M. O'BRIEN, SWANGER,  
J. TAYLOR AND YUDICHAK, MARCH 25, 2010

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 25, 2010

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AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania  
2 Consolidated Statutes, in ethics standards and financial  
3 disclosure, further providing for definitions and for  
4 restricted activities.

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

7 Section 1. Section 1102 of Title 65 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a definition to read:

9 § 1102. Definitions.

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

13 \* \* \*

14 "Equity holder." An individual who is:

15 (1) engaged in a business enterprise; and

16 (2) entitled to share in:

17 (i) the policy decisions of that business

18 enterprise;

1           (ii) the profits of that business enterprise; or  
2           (iii) the assets of that enterprise upon  
3           dissolution.

4 The term does not include an individual whose investment in the  
5 business enterprise does not constitute a financial interest.

6           \* \* \*

7           Section 2. Section 1103(a) of Title 65 is amended to read:

8 § 1103. Restricted activities.

9           (a) Conflict of interest.--

10           (1) No public official or public employee shall engage  
11 in conduct that constitutes a conflict of interest.

12           (2) The following governs a specific conflict of  
13 interest involving lobbyists:

14           (i) This paragraph applies to a public official who  
15 is:

16                   (A) a member of the executive branch;

17                   (B) a member of the Senate or the House of  
18 Representatives; or

19                   (C) a member of the judicial branch of the  
20 Commonwealth.

21           (ii) A public official subject to subparagraph (i)  
22 may not, during the public official's term of office, be  
23 an equity holder in a business enterprise that:

24                   (A) is required to register as a lobbyist under  
25 Chapter 13A (relating to lobbying disclosure); or

26                   (B) retains the services of a person required to  
27 register as a lobbyist under Chapter 13A.

28           \* \* \*

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