

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 103 Session of 2011

INTRODUCED BY CUTLER, AUMENT, BOYD, GEIST, GINGRICH, GRELL,
 HICKERNELL, KAUFFMAN, LAWRENCE, METCALFE, MOUL, SCAVELLO,
 SCHRODER, SWANGER AND VULAKOVICH, JANUARY 19, 2011

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 19, 2011

AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania
 2 Consolidated Statutes, in lobbying disclosure, further
 3 providing for prohibited activities and for penalties.

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

6 Section 1. Sections 13A07(f)(2) and 13A09(c)(1) and (e) of
 7 Title 65 of the Pennsylvania Consolidated Statutes are amended
 8 to read:

9 § 13A07. Prohibited activities.

10 * * *

11 (f) Unlawful acts.--

12 * * *

13 (2) The commission may receive complaints regarding
 14 violations of this subsection. If the commission determines a
 15 violation of this subsection has occurred, the commission,
 16 after investigation, notice and hearing:

17 (i) shall impose an administrative penalty in an
 18 amount not to exceed [~~\$2,000~~] \$10,000; and

1 (ii) may prohibit a lobbyist from lobbying for
2 economic consideration for up to [five] ten years.

3 * * *

4 § 13A09. Penalties.

5 * * *

6 (c) Negligent failure to register or report.--

7 (1) Negligent failure to register or report as required
8 by this chapter is punishable by an administrative penalty
9 not exceeding [\$50] \$250 for each late day.

10 * * *

11 (e) Intentional violations.--

12 (1) A person that intentionally fails to register or
13 report as required by this chapter commits a misdemeanor of
14 the [second] first degree.

15 (2) A registrant who files a report under this chapter
16 with knowledge that the report contains a false statement or
17 is incomplete commits a misdemeanor of the [second] first
18 degree.

19 (3) Except as set forth in paragraph (1) or (2), a
20 person that intentionally violates this chapter commits a
21 misdemeanor of the [third] second degree. In addition to any
22 other penalties imposed under this chapter, the court may
23 impose a fine not to exceed [\$25,000] \$100,000 against a
24 principal who is found guilty under this paragraph.

25 (4) In addition to any criminal penalties imposed under
26 this chapter, the commission may prohibit a person from
27 lobbying for economic consideration for up to [five] ten
28 years for conduct which constitutes an offense under this
29 subsection. Criminal prosecution or conviction is not
30 required for the imposition of the prohibition authorized by

1 this paragraph. The commission shall not impose the
2 prohibition under this paragraph unless the person has been
3 afforded the opportunity for a hearing, which shall be
4 conducted by the commission in accordance with sections
5 1107(14) and 1108(e).

6 * * *

7 Section 2. This act shall take effect immediately.