
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1243 Session of
2011

INTRODUCED BY DAVIS, DeLUCA, BRIGGS, FABRIZIO, HESS, HORNAMAN,
JOSEPHS, MAHONEY, MILLARD, M. O'BRIEN, SCHRODER, TRUITT,
VULAKOVICH, WHITE AND YOUNGBLOOD, MARCH 31, 2011

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 31, 2011

AN ACT

1 Prohibiting the use of taxpayer funds for certain contracts.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Prohibited
6 Contracts Act.

7 Section 2. Definitions.

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

11 "Commonwealth agency." An executive agency, a legislative
12 agency, a judicial agency, an independent agency or a State-
13 affiliated entity.

14 "Executive agency."

15 (1) Any of the following:

16 (i) The Governor and the departments, boards,
17 commissions, authorities and other officers and agencies

1 of the executive branch.

2 (ii) The State Treasurer and the Office of the State
3 Treasurer.

4 (iii) The Auditor General and the Office of the
5 Auditor General.

6 (iv) The Attorney General and the Office of Attorney
7 General.

8 (2) The term does not include a judicial agency,
9 legislative agency, independent agency, State-affiliated
10 entity, State-related institution, political subdivision or
11 local, regional or metropolitan transportation authority.

12 "Governmental body." A department, authority, commission,
13 committee, council, board, bureau, division, service, office,
14 officer, administration, legislative body or other establishment
15 in the executive, legislative or judicial branch of the
16 Commonwealth.

17 "Independent agency." Boards, commissions and other agencies
18 and officers of the Commonwealth which are not subject to the
19 policy supervision and control of the Governor. The term does
20 not include an executive agency, judicial agency, legislative
21 agency, State-affiliated entity, State-related institution,
22 political subdivision or local, regional or metropolitan
23 transportation authority.

24 "Judicial agency." A court of the Commonwealth or any other
25 entity, office or officer of the unified judicial system. The
26 term does not include an executive agency, an independent
27 agency, legislative agency, State-affiliated entity, State-
28 related institution, political subdivision or local, regional or
29 metropolitan transportation authority.

30 "Legislative agency."

(1) Any of the following:

(i) The Senate and a member thereof.

(ii) The House of Representatives and a member thereof.

(iii) Another agency or officer of the General Assembly.

(2) The term does not include an executive agency, an independent agency, a judicial agency, State-affiliated entity, State-related institution, political subdivision or local, regional or metropolitan transportation authority.

"Lobbying." As defined in 65 Pa.C.S. § 13A03 (relating to definitions).

"Lobbying firm." As defined in 65 Pa.C.S. § 13A03 (relating to definitions).

"Lobbyist." As defined in 65 Pa.C.S. § 13A03 (relating to definitions). The term shall not include an individual exempt from the registration and reporting requirements of 65 Pa.C.S. Ch. 13A under 65 Pa.C.S. § 13A06(1), (7), (8) or (10) (relating to exemption from registration and reporting).

"Public funds." Money collected, received or held by, for or on account of a governmental body.

"State-affiliated entity." A Commonwealth authority or Commonwealth entity. The term includes the Pennsylvania Turnpike Commission, the Pennsylvania Housing Finance Agency, the Pennsylvania Municipal Retirement System, the Pennsylvania Infrastructure Investment Authority, the State Public School Building Authority, the Pennsylvania Higher Educational Facilities Authority and the State System of Higher Education and any member or officer of the foregoing. The term does not include an executive agency, an independent agency, legislative

1 agency, judicial agency, State-related institution, political
2 subdivision or local, regional or metropolitan transportation
3 authority.

4 "State-related institution." The Pennsylvania State
5 University, the University of Pittsburgh, Lincoln University and
6 Temple University.

7 Section 3. Prohibited contracts.

8 A Commonwealth agency shall not enter into a contract with,
9 or otherwise expend public funds for the services of, a lobbyist
10 or lobbying firm in order to lobby another Commonwealth agency.
11 A contract entered into in violation of this section after the
12 effective date of this section shall be void.

13 Section 20. Effective date.

14 This act shall take effect immediately.