

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2174 Session of  
2012

INTRODUCED BY SACCONI, BENNINGHOFF, CREIGHTON, MULLERY, ROCK,  
SIMMONS, SWANGER, TRUITT AND VULAKOVICH, FEBRUARY 13, 2012

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 13, 2012

AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania  
2 Consolidated Statutes, in ethics standards and financial  
3 disclosure, prohibiting certain gifts; and providing for  
4 exceptions.

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

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

9 § 1103.1. Gifts.

10 No public official or employee shall solicit or accept,  
11 directly or indirectly, anything of economic value as a gift or  
12 gratuity from any person who:

13 (1) Has or is seeking a contractual, business or  
14 financial relationship with the public official's or  
15 employee's governing body, including the acquisition of a  
16 grant or loan.

17 (2) Is compensated to influence the passage or defeat of  
18 legislation by the public official's or employee's  
19 governmental body.

1       (3) Conducts operations or activities which are  
2 regulated by the public official's or employee's governmental  
3 body.

4       (4) Has an economic interest which may be substantially  
5 affected by the performance or nonperformance of the public  
6 official's or employee's official job duties.

7 § 1103.2. Exceptions.

8       The prohibition stated in section 1103.1 (relating to gifts)  
9 shall not apply to the following:

10       (1) Gifts or other things of value from a relative or  
11 friend, unless the relative or friend is in a restricted  
12 relationship as delineated in section 1103.1. The term  
13 "friend" shall not include a registered lobbyist or  
14 principal.

15       (2) A contribution, as defined in section 1621 of the  
16 act of June 3, 1937 (P.L.1333, No.320), known as the  
17 Pennsylvania Election Code, lawfully made under that act.

18       (3) Informational materials that are sent to the office  
19 of the public official in the form of books, articles,  
20 periodicals, other written materials, audiotapes, videotapes  
21 or other forms of communication for nonentertainment  
22 purposes.

23       (4) Awards or prizes that are given to competitors in  
24 contests or events open to the public, including random  
25 drawings.

26       (5) Honorary degrees and awards and associated travel,  
27 food, refreshments and entertainment provided in the  
28 presentation of the degrees and awards.

29       (6) Training provided to a public official or public  
30 employee, if the training is in the interest of the

1 governmental entity. This paragraph shall include food and  
2 refreshments furnished to all attendees as an integral part  
3 of the training.

4 (7) An educational mission, including a meeting with  
5 government officials, either foreign or domestic, intended to  
6 educate public officials on matters of public policy, to  
7 which the public official may be invited to participate along  
8 with other Federal, State or local public officials and  
9 community leaders.

10 (8) Anything paid for by the Federal, State or other  
11 government or governmental entity under a government  
12 contract.

13 (9) A plaque, trophy or other item that is substantially  
14 commemorative in nature and has minimal value.

15 Section 2. This act shall take effect in 60 days.