

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2221 Session of
2012

INTRODUCED BY SACCONI, MULLERY, ROCK AND TRUITT,
FEBRUARY 22, 2012

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 22, 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; providing for
4 exceptions; and further providing for statement of financial
5 interests.

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

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

10 § 1103.1. Gifts.

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

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

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

1 governmental body.

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

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

8 § 1103.2. Exceptions.

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

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

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

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

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

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

30 (6) Training provided to a public official or public

1 employee, if the training is in the interest of the
2 governmental entity. This paragraph shall include food and
3 refreshments furnished to all attendees as an integral part
4 of the training.

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

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

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

16 Section 2. Section 1105(b)(6) of Title 65 is amended to
17 read:

18 § 1105. Statement of financial interests.

19 * * *

20 (b) Required information.--The statement shall include the
21 following information for the prior calendar year with regard to
22 the person required to file the statement:

23 * * *

24 (6) The name and address of the source and the amount of
25 any gift or gifts, not otherwise prohibited by this chapter,
26 valued in the aggregate at \$250 or more and the circumstances
27 of each gift. This paragraph shall not apply to a gift or
28 gifts received from a spouse, parent, parent by marriage,
29 sibling, child, grandchild, other family member or friend
30 when the circumstances make it clear that the motivation for

1 the action was a personal or family relationship. However,
2 for the purposes of this paragraph, the term "friend" shall
3 not include a registered lobbyist or an employee of a
4 registered lobbyist.

5 * * *

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