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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 43 Session of  
2015

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INTRODUCED BY SACCONI, McNEILL, KAUFFMAN, DAVIS, McGINNIS AND  
MURT, JANUARY 21, 2015

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 21, 2015

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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, prohibiting certain transportation, lodging,  
4 hospitality and gifts.

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 a section to read:

9 § 1103.1. Transportation, lodging, hospitality and gifts.

10 (a) General rule.--No public official or employee shall  
11 solicit or accept, directly or indirectly, any transportation,  
12 lodging or hospitality or anything of economic value as a gift  
13 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 (b) Exceptions.--The prohibition stated in subsection (a)  
9 shall not apply to the following:

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

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

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

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

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

28 (6) Training provided to a public official or public  
29 employee, if the training is in the interest of the  
30 governmental entity. This paragraph shall include food and

1 refreshments furnished to all attendees as an integral part  
2 of the training.

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

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

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

14 (10) Light food or refreshments, such as hors d'oeuvres,  
15 provided in a group setting and intended for mass consumption  
16 and not intended for the consumption of a specific employee.

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