
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 188 Session of
2015

INTRODUCED BY TEPLITZ, HUTCHINSON, GREENLEAF, BREWSTER,
VULAKOVICH, TARTAGLIONE, COSTA, VANCE, VOGEL, FOLMER,
RAFFERTY AND WARD, FEBRUARY 11, 2015

REFERRED TO STATE GOVERNMENT, FEBRUARY 11, 2015

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 judicial
12 agency, a legislative 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, judicial or legislative 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, a legislative agency,
27 an independent agency, a State-affiliated entity, a State-
28 related institution, a political subdivision or a local,
29 regional or metropolitan transportation authority.

30 "Legislative agency."

- 1 (1) Any of the following:
- 2 (i) The Senate and a member thereof.
- 3 (ii) The House of Representatives and a member
- 4 thereof.
- 5 (iii) Another agency or officer of the General
- 6 Assembly.

7 (2) The term does not include an executive agency, a

8 judicial agency, an independent agency, a State-affiliated

9 entity, a State-related institution, a political subdivision

10 or a local, regional or metropolitan transportation

11 authority.

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

13 definitions).

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

15 to definitions).

16 "Lobbyist." As defined in 65 Pa.C.S. § 13A03 (relating to

17 definitions). The term shall not include an individual exempt

18 from the registration and reporting requirements under 65

19 Pa.C.S. § 13A06(1), (7), (8) or (10) (relating to exemption from

20 registration and reporting).

21 "Public funds." Money collected, received or held by, for or

22 on account of a governmental body.

23 "State-affiliated entity." A Commonwealth authority or

24 Commonwealth entity. The term includes the Pennsylvania Turnpike

25 Commission, the Pennsylvania Housing Finance Agency, the

26 Pennsylvania Municipal Retirement System, the Pennsylvania

27 Infrastructure Investment Authority, the State Public School

28 Building Authority, the Pennsylvania Higher Educational

29 Facilities Authority and the State System of Higher Education

30 and any member or officer of the foregoing. The term does not

1 include an executive agency, a judicial agency, a legislative
2 agency, an independent agency, a State-related institution, a
3 political subdivision or a local, regional or metropolitan
4 transportation authority.

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

8 Section 3. Prohibited contracts.

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

14 Section 4. Effective date.

15 This act shall take effect immediately.