
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 793 Session of
2017

INTRODUCED BY DAVIS, MACKENZIE, THOMAS, McNEILL, KAUFER,
SAMUELSON, D. MILLER, NEILSON, DeLUCA, MADDEN, BARRAR, KEEFER
AND METCALFE, MARCH 10, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 10, 2017

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, legislative
12 agency, judicial agency, independent agency or State-affiliated
13 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 Treasury
3 Department.

4 (iii) The Auditor General and the Department 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." A board, commission or other agency or
18 officer of the Commonwealth that is not subject to the policy
19 supervision and control of the Governor. The term does not
20 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, independent agency,
27 legislative agency, State-affiliated entity, State-related
28 institution, political subdivision or local, regional or
29 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,

8 independent agency, judicial agency, State-affiliated entity,

9 State-related institution, political subdivision or local,

10 regional or metropolitan transportation authority.

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

12 definitions).

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

14 "Lobbyist." As defined in 65 Pa.C.S. § 13A03. The term shall

15 not include an individual exempt from the registration and

16 reporting requirements of 65 Pa.C.S. § 13A06(1), (7), (8) or

17 (10) (relating to exemption from registration and reporting).

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

19 on account of a governmental body.

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

21 Commonwealth entity. The term includes the Pennsylvania Turnpike

22 Commission, the Pennsylvania Housing Finance Agency, the

23 Pennsylvania Municipal Retirement Board, the Pennsylvania

24 Infrastructure Investment Authority, the State Public School

25 Building Authority, the Pennsylvania Higher Educational

26 Facilities Authority and the State System of Higher Education

27 and any member or officer of those entities. The term does not

28 include an executive agency, independent agency, legislative

29 agency, judicial agency, State-related institution, political

30 subdivision or local, regional or metropolitan transportation

1 authority.

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

5 Section 3. Prohibited contracts.

6 (a) General rule.--A Commonwealth agency may not enter into
7 a contract with, or otherwise expend public funds for the
8 services of, a lobbyist or lobbying firm in order to lobby
9 another Commonwealth agency.

10 (b) Effect.--A contract entered into in violation of this
11 section after the effective date of this section shall be void.

12 Section 4. Effective date.

13 This act shall take effect immediately.