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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1175 Session of  
2017

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INTRODUCED BY CUTLER, NEUMAN, MATZIE, B. MILLER, McNEILL,  
HICKERNELL, ENGLISH, FEE, ROZZI, DeLUCA, D. COSTA, FREEMAN,  
SOLOMON, WATSON, KAUFER AND D. MILLER, APRIL 12, 2017

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 12, 2017

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AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania  
2 Consolidated Statutes, in lobbying disclosure, further  
3 providing for registration, for reporting, for prohibited  
4 activities, for penalties and for registration fees, fund  
5 established, system and regulations.

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

8 Section 1. Sections 13A04(a), (d) and (e)(1), 13A05(a), (b)  
9 (4), (6) and (8) and (d), 13A07(f)(2), 13A09(c)(1) and 13A10(c)  
10 of Title 65 of the Pennsylvania Consolidated Statutes are  
11 amended to read:

12 § 13A04. Registration.

13 (a) General rule.--Unless excluded under section 13A06  
14 (relating to exemption from registration and reporting), a  
15 lobbyist, lobbying firm or a principal must register with the  
16 department electronically using the computerized filing system  
17 developed by the department that is consistent with the purposes  
18 of this chapter within ten days of acting in any capacity as a  
19 lobbyist, lobbying firm or principal. Registration shall be

1 biennial and shall begin January 1, 2007.

2 \* \* \*

3 (d) Amendments.--

4 (1) If there is a change of information required for the  
5 registration statement under subsection (b)(1) or (2) or (c),  
6 an amended registration statement shall be filed with the  
7 department electronically using the computerized filing  
8 system developed by the department that is consistent with  
9 the purpose of this chapter within 14 days after the change  
10 occurs.

11 (2) When there is a change in information required for  
12 the registration statement under subsection (b)(3), an  
13 amended registration statement shall be filed with the  
14 department electronically using the computerized filing  
15 system developed by the department that is consistent with  
16 the purpose of this chapter within 14 days of the end of the  
17 year in which the change occurs.

18 (e) Termination.--

19 (1) A lobbyist, lobbying firm or principal may terminate  
20 registration by filing notice of termination with the  
21 department[.] electronically using the computerized filing  
22 system developed by the department that is consistent with  
23 the purpose of this chapter.

24 \* \* \*

25 § 13A05. Reporting.

26 (a) General rule.--A registered principal shall, under oath  
27 or affirmation, file quarterly expense reports with the  
28 department electronically using the computerized filing system  
29 developed by the department that is consistent with the purpose  
30 of this chapter no later than 30 days after the last day of the

1 quarter.

2 (b) Content.--

3 \* \* \*

4 (4) A lobbying firm or a lobbyist not associated with a  
5 lobbying firm shall sign the reports electronically submitted  
6 by each principal for whom the lobbying firm or lobbyist is  
7 registered to attest to the validity and accuracy to the best  
8 of the attestor's knowledge. A lobbying firm or lobbyist may  
9 attach a statement to the electronic report of a principal,  
10 describing the limits of the knowledge of the lobbying firm  
11 or lobbyist concerning the information contained in the  
12 expense report.

13 \* \* \*

14 (6) A lobbying firm or a lobbyist not associated with a  
15 lobbying firm shall submit an expense report electronically  
16 using the computerized filing system developed by the  
17 department that is consistent with the purpose of this  
18 chapter if during the reporting period the lobbying firm or  
19 lobbyist engaged in lobbying which was not contained in any  
20 expense report filed by a principal or principals  
21 represented.

22 \* \* \*

23 (8) A lobbying firm or a lobbyist not associated with a  
24 lobbying firm shall submit a report electronically using the  
25 computerized filing system developed by the department that  
26 is consistent with the purpose of this chapter if the  
27 lobbying firm or lobbyist engaged in lobbying on behalf of  
28 any entity that is exempt under section 13A06(7), (8), (9) or  
29 (10) (relating to exemption from registration and reporting).

30 \* \* \*

1 (d) Thresholds for reporting.--An expense report required  
2 under this section shall be filed electronically using the  
3 computerized filing system developed by the department that is  
4 consistent with the purpose of this chapter when total expenses  
5 for lobbying exceed \$2,500 for a registered principal in a  
6 reporting period. In a reporting period in which total expenses  
7 are \$2,500 or less, a statement to that effect shall be filed  
8 electronically using the computerized filing system developed by  
9 the department that is consistent with the purpose of this  
10 chapter.

11 \* \* \*

12 § 13A07. Prohibited activities.

13 \* \* \*

14 (f) Unlawful acts.--

15 \* \* \*

16 (2) The commission may receive complaints regarding  
17 violations of this subsection. If the commission determines a  
18 violation of this subsection has occurred, the commission,  
19 after investigation, notice and hearing:

20 (i) shall impose an administrative penalty in an  
21 amount not to exceed [ \$2,000 ] \$4,000; and

22 (ii) may prohibit a lobbyist from lobbying for  
23 economic consideration for up to five years.

24 \* \* \*

25 § 13A09. Penalties.

26 \* \* \*

27 (c) Negligent failure to register or report.--

28 (1) Negligent failure to register or report as required  
29 by this chapter is punishable by an administrative penalty  
30 not exceeding [ \$50 for each late day. ] the following:

1           (i) For the first ten late days, \$50 for each late  
2           day.

3           (ii) For each late day after the first ten late days  
4           through the 20th late day, \$100 for each late day.

5           (iii) For each late day after the first 20 late  
6           days, \$200 for each late day.

7           \* \* \*

8 § 13A10. Registration fees; fund established; system;  
9           regulations.

10          \* \* \*

11          (c) Computerized filing system.--The department shall  
12 implement a fully accessible system to accommodate the use of  
13 computerized filing. [Each registrant shall elect on an annual  
14 basis whether the registrant will file all of the documents  
15 required by this chapter either electronically or on paper with  
16 the department.] The department shall post all filings on its  
17 publicly accessible Internet website within seven days of  
18 receipt of the filing.

19          \* \* \*

20          Section 2. This act shall take effect as follows:

21                 (1) The amendment of 65 Pa.C.S. §§ 13A04(a), (d) and (e)  
22                 (1) and 13A05(a), (b) (4), (6) and (8) and (d) shall take  
23                 effect January 1, 2018.

24                 (2) The remainder of this act shall take effect  
25                 immediately.