

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1054 Session of  
2019

INTRODUCED BY SNYDER, HILL-EVANS, DONATUCCI, KORTZ, MURT,  
FREEMAN, WEBSTER, DERMODY, SCHLOSSBERG, T. DAVIS, CIRESI,  
HOWARD AND McCLINTON, APRIL 5, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 5, 2019

## AN ACT

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

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

7 Section 1. Section 13A04(a) of Title 65 of the Pennsylvania  
8 Consolidated Statutes, amended February 14, 2018 (P.L.2, No.2),  
9 is amended and the section is amended by adding a subsection to  
10 read:

11 § 13A04. Registration.

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

1 lobbying firm or principal. Registration shall be biennial and  
2 shall begin January 1, 2007.

3 \* \* \*

4 (f) Training requirements and documentation.--The following  
5 shall apply:

6 (1) An individual who is a lobbyist and an individual  
7 named on a principal's or lobbying firm's registration  
8 statement under subsection (b)(1)(vii) must complete  
9 training developed or approved by the department that  
10 addresses the restricted activities under section 1103(b)  
11 (relating to restricted activities), the prohibited  
12 activities under section 13A07 (relating to prohibited  
13 activities) and the prevention of discrimination and  
14 harassment, including sexual harassment.

15 (2) The department shall prescribe evidentiary  
16 documentation proving completion of the training required  
17 under paragraph (1), which must be submitted to the  
18 department within 30 days of the filing of the initial  
19 registration statement and at the time of filing a renewal  
20 registration statement.

21 (3) A lobbyist or lobbying firm may submit a request for  
22 approval by the department of training that meets the  
23 requirements of paragraph (1). If the department does not  
24 issue a response within 15 days of receipt of the request for  
25 approval, the request shall be deemed denied. The request for  
26 approval does not toll the time for submittal of  
27 documentation evidencing completion of training under  
28 paragraph (2).

29 Section 2. Section 13A07(f)(1) of Title 65 is amended by  
30 adding a subparagraph to read:

1 § 13A07. Prohibited activities.

2 \* \* \*

3 (f) Unlawful acts.--

4 (1) A lobbyist or principal may not:

5 \* \* \*

6 (xi) Engage in discriminatory or harassing practices  
7 prohibited by law.

8 \* \* \*

9 Section 3. Section 13A09(a)(1) and (2) and (b)(1) of Title  
10 65 are amended and subsection (b) is amended by adding a  
11 paragraph to read:

12 § 13A09. Penalties.

13 (a) Notice of alleged noncompliance.--

14 (1) The commission shall issue a notice of alleged  
15 noncompliance to a person that has failed to register [or],  
16 report or complete training as required by this chapter.

17 \* \* \*

18 (2) The notice shall state:

19 (i) the nature of the alleged noncompliance; and  
20 (ii) the administrative and criminal penalties for:

21 (A) failure to register;

22 (B) failure to file; [or]

23 (C) filing a report which contains a false  
24 statement or which is incomplete[.]; or

25 (D) failure to complete the training or submit  
26 the documentation required under section 13A04(f)  
27 (relating to registration).

28 \* \* \*

29 (b) Hearing.--

30 (1) If a hearing is requested, the commission shall

1 determine at the hearing:

2 (i) whether the recipient of the notice is required  
3 to register or report under this chapter;

4 (ii) whether the recipient of the notice is an  
5 attorney at law; [and]

6 (iii) whether the failure to register or report was  
7 negligent or intentional[.]; and

8 (iv) whether the recipient of, or other individual  
9 named in, a notice issued under subsection (a)(2)(ii)(D)  
10 failed to complete the training or submit the  
11 documentation required under section 13A04(f).

12 \* \* \*

13 (3.1) If the commission finds that a failure to complete  
14 the training or submit the documentation required under  
15 section 13A04(f) occurred, the commission shall determine the  
16 amount of the administrative penalty to be imposed. The  
17 administrative penalty shall not exceed \$1,000.

18 \* \* \*

19 Section 4. The requirements of 65 Pa.C.S. § 13A04(f)(1)  
20 shall apply to an initial or biennial registration after the  
21 effective date of this section.

22 Section 5. This act shall take effect in 90 days.