
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1239 Session of
2019

INTRODUCED BY MASSER, SCHLOSSBERG, MILLARD, ZIMMERMAN, OTTEN,
CIRESI, HEFFLEY AND MOUL, APRIL 17, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 17, 2019

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania
2 Consolidated Statutes, in prohibitions, penalties and
3 enforcement, further providing for political activity.

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

6 Section 1. Section 2705(b), (c) and (e) of Title 71 of the
7 Pennsylvania Consolidated Statutes, added June 28, 2018
8 (P.L.460, No.71), are amended and the section is amended by
9 adding a subsection to read:

10 § 2705. Political activity.

11 * * *

12 [(b) Political activities prohibited.--An individual in the
13 classified service may not take an active part in political
14 management or in a political campaign. Activities prohibited by
15 this subsection include the following:

16 (1) Serving as an officer of a political party, a member
17 of a national, State or local committee of a political party
18 or an officer or member of a committee of a partisan

1 political club, or being a candidate for any of these
2 positions.

3 (2) Organizing or reorganizing a political party
4 organization or political club.

5 (3) Directly or indirectly soliciting, receiving,
6 collecting, handling, disbursing or accounting for
7 assessments, contributions or other money for a partisan
8 political purpose.

9 (4) Organizing, selling tickets to, promoting or
10 actively participating in a fundraising activity of a
11 candidate in a partisan election or a political party or
12 political club.

13 (5) Taking an active part in managing the political
14 campaign of a candidate for public office in a partisan
15 election or a candidate for political party office.

16 (6) Becoming a candidate or campaigning for an elective
17 public office in a partisan election.

18 (7) Soliciting votes in support of or in opposition to a
19 candidate for public office in a partisan election or a
20 candidate for political party office.

21 (8) Acting as recorder, watcher, challenger or similar
22 officer at the polls on behalf of a political party or a
23 candidate in a partisan election.

24 (9) Driving voters to the polls on behalf of a political
25 party or a candidate in a partisan election.

26 (10) Endorsing or opposing a candidate for public office
27 in a partisan election or a candidate for political party
28 office in a political advertisement, broadcast, campaign,
29 literature or similar material.

30 (11) Serving as a delegate, alternate or proxy to a

1 political party convention.

2 (12) Addressing a convention, caucus, rally or similar
3 gathering of a political party in support of or in opposition
4 to a partisan candidate for public office or political party
5 office.

6 (13) Initiating or circulating a partisan nominating
7 petition.

8 (14) Soliciting, paying, collecting or receiving a
9 contribution at or in the workplace from an employee for a
10 political party, political fund or other partisan recipient.

11 (15) Paying a contribution in the workplace to an
12 employee who is the employer or employing authority of the
13 individual making the contribution for a political party,
14 political fund or other partisan recipient.]

15 (c) Rights.--An employee or individual to whom subsection
16 (a) [or (b)] applies shall retain the right to and may engage in
17 the following activities:

18 (1) Register and vote in an election.

19 (2) Express an opinion as an individual privately and
20 publicly on political subjects and candidates.

21 (3) Display a political picture, sticker, badge or
22 button when not on duty and at locations other than the
23 workplace.

24 (4) Participate in the nonpartisan activities of a
25 civic, community, social, labor or professional organization,
26 or a similar organization.

27 (5) Be a member of a political party or other political
28 organization or club and participate in the organization's or
29 club's activities to the extent consistent with this section.

30 (6) Attend a political convention, rally, fundraising

1 function or other political gathering.

2 (7) Sign a political petition as an individual.

3 (8) Make a financial contribution to a political party
4 or organization.

5 (9) Be politically active in connection with a question
6 that is not specifically identified with a political party,
7 such as a constitutional amendment, referendum, approval of a
8 municipal ordinance or other question or issue of similar
9 character.

10 (10) Otherwise participate fully in public affairs,
11 except as prohibited by law, in a manner that does not
12 materially compromise efficiency or integrity as an employee
13 or the neutrality, efficiency or integrity of a Commonwealth
14 agency.

15 (c.1) Political management and campaigns.--In addition to
16 the activities permitted under subsection (c), an individual in
17 the classified service may take an active part in political
18 management or in a political campaign. Activities permitted
19 include, but are not limited to, the following:

20 (1) Serving as an officer of a political party, a member
21 of a national, State or local committee of a political party
22 or an officer or member of a committee of a partisan
23 political club, or being a candidate for any of these
24 positions.

25 (2) Organizing or reorganizing a political party
26 organization or political club.

27 (3) Directly or indirectly soliciting, receiving,
28 collecting, handling, disbursing or accounting for
29 assessments, contributions or other funds for a partisan
30 political purpose.

1 (4) Organizing, selling tickets to, promoting or
2 actively participating in a fundraising activity of a
3 candidate in a partisan election or of a political party or
4 political club.

5 (5) Taking an active part in managing the political
6 campaign of a candidate for public office in a partisan
7 election or a candidate for political party office.

8 (6) Becoming a candidate for, or campaigning for, an
9 elective public office in a partisan election.

10 (7) Soliciting votes in support of or in opposition to a
11 candidate for public office in a partisan election or a
12 candidate for political party office.

13 (8) Acting as recorder, watcher, challenger or similar
14 officer at the polls on behalf of a political party or a
15 candidate in a partisan election.

16 (9) Driving voters to the polls on behalf of a political
17 party or a candidate in a partisan election.

18 (10) Endorsing or opposing a candidate for public office
19 in a partisan election or a candidate for political party
20 office in a political advertisement, broadcast, campaign,
21 literature or similar material.

22 (11) Serving as a delegate, alternate or proxy to a
23 political party convention.

24 (12) Addressing a convention, caucus, rally or similar
25 gathering of a political party in support of or in opposition
26 to a partisan candidate for public office or political party
27 office.

28 (13) Initiating or circulating a partisan nominating
29 petition.

30 * * *

1 (e) Further prohibition or limitation.--The provisions of
2 subsection (c) or (c.1) do not authorize an employee to engage
3 in political activity while on duty or while in a uniform which
4 identifies the individual as an employee. The head of an agency
5 may prohibit or limit the participation of an employee or class
6 of employees of the agency in an activity permitted under
7 subsection (c) or (c.1) if participation in the activity will
8 interfere with the efficient performance of official duties or
9 create a conflict or apparent conflict of interests. An employee
10 may not do any of the following:

11 (1) Solicit, pay, collect or receive a contribution at
12 or in the workplace from any employee for any political
13 party, political fund or other partisan recipient.

14 (2) Pay a contribution at or in the workplace to any
15 employee who is the employer or employing authority of the
16 person making the contribution for any political party,
17 political fund or other partisan recipient.

18 * * *

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