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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 174 Session of  
2021

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INTRODUCED BY DeLUCA, McNEILL, NEILSON, O'MARA AND WEBSTER,  
JANUARY 14, 2021

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 14, 2021

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AN ACT

1 Prohibiting the use of sick time by public employees for  
2 campaign activities.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Sick Time  
7 Abuse Prevention Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Campaign activities." Activities intended to influence the  
13 outcome of an election for public office, including, but not  
14 limited to:

15 (1) Campaigning.

16 (2) Canvassing.

17 (3) Circulating nomination petitions or nomination  
18 papers.

1 (4) Making telephone calls in an organized effort.

2 (5) Organizing or promoting events.

3 (6) Polling.

4 (7) Poll watching.

5 (8) Typing, creating, copying, ordering, receiving or  
6 distributing brochures, flyers, signs or political literature  
7 of any kind.

8 "Public employee." A person employed by a public employer.

9 The term does not include a contractor or an annuitant.

10 "Public employer." The Commonwealth or its political  
11 subdivisions, including school districts and any office,  
12 department, authority, board, agency, multistate agency,  
13 commission or other instrumentality which provides sick time for  
14 public employees.

15 "Sick time." Leave from employment designated for a public  
16 employee by a public employer for a time period when the public  
17 employee becomes too ill to work or must be absent from work for  
18 a valid sick-related reason, whether or not the public employee  
19 is compensated. The term shall include leave taken under the  
20 Family and Medical Leave Act of 1993 (Public Law 103-3, 29  
21 U.S.C. § 2601 et seq.).

22 Section 3. Prohibited use of sick time.

23 A public employee may not use sick time to engage in campaign  
24 activities.

25 Section 4. Penalties.

26 A person who violates section 3 commits a misdemeanor of the  
27 third degree and shall, upon conviction, be sentenced to pay a  
28 fine of not more than \$1,000 or imprisonment for not more than  
29 one year, or both.

30 Section 5. Effective date.

1        This act shall take effect in 60 days.