
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1273 Session of
2021

INTRODUCED BY WEBSTER, ISAACSON, HANBIDGE, SANCHEZ, N. NELSON,
CIRESI, FREEMAN, DeLUCA, SOLOMON, SHUSTERMAN AND A. DAVIS,
APRIL 23, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 23, 2021

AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania
2 Consolidated Statutes, in ethics standards and financial
3 disclosure, prohibiting certain transportation, lodging,
4 hospitality, cash and gifts and further providing for
5 statement of financial interests.

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

8 Section 1. Title 65 of the Pennsylvania Consolidated
9 Statutes is amended by adding a section to read:

10 § 1103.1. Transportation, lodging, hospitality, cash and gifts.

11 (a) General rule.--No public official or public employee or
12 the spouse of a public official or public employee shall solicit
13 or accept, directly or indirectly, any transportation, lodging,
14 hospitality, cash, gift or anything of economic value as a gift
15 from any person who:

16 (1) Has or is seeking a contractual, business or
17 financial relationship with the public official's or public
18 employee's governmental body, including the acquisition of a
19 grant or loan.

1 (2) Is compensated to influence the passage or defeat of
2 legislation by the public official's or public employee's
3 governmental body.

4 (3) Conducts operations or activities which are
5 regulated by the public official's or public employee's
6 governmental body.

7 (4) Has an economic interest which may be substantially
8 affected by the performance or nonperformance of the public
9 official's or public employee's official job duties.

10 (b) Exceptions.--The prohibition stated in subsection (a)
11 shall not apply to the following:

12 (1) Gifts from a relative or friend, unless the relative
13 or friend is in a restricted relationship as delineated in
14 subsection (a). The term "friend" shall not include a
15 registered lobbyist or principal.

16 (2) A "contribution," as defined in section 1621 of the
17 act of June 3, 1937 (P.L.1333, No.320), known as the
18 Pennsylvania Election Code, lawfully made under that act.

19 (3) Informational materials that are sent to the office
20 of the public official in the form of books, articles,
21 periodicals, other written materials, audiotapes, videotapes
22 or other forms of communication for nonentertainment
23 purposes.

24 (4) Awards or prizes that are given to competitors in
25 contests or events open to the public, including random
26 drawings.

27 (5) Honorary academic degrees and academic awards from
28 not-for-profit educational institutions in this Commonwealth
29 and associated travel, food, refreshments and entertainment
30 provided in the presentation of the academic degrees and

1 academic awards. Associated travel, food, refreshments and
2 entertainment provided in the presentation of academic
3 degrees and academic awards shall be reported in accordance
4 with section 1105(b) (relating to statement of financial
5 interests).

6 (6) Training provided to a public official or public
7 employee, if the training is in the interest of the
8 governmental entity. This paragraph shall include food and
9 refreshments furnished to all attendees as an integral part
10 of the training. Training provided under this paragraph and
11 food and refreshments furnished to attendees as an integral
12 part of the training shall be reported in accordance with
13 section 1105(b). The exception under this paragraph shall not
14 apply in any of the following circumstances:

15 (i) The organization sponsoring the training is
16 funded or sponsored, directly or indirectly, by a
17 registered lobbyist or principal.

18 (ii) The public official or public employee or the
19 spouse of the public official or public employee is
20 prohibited from soliciting or accepting transportation,
21 lodging, hospitality, cash, a gift or anything of
22 economic value as a gift from the organization sponsoring
23 the training.

24 (7) An educational mission, including a meeting with
25 government officials, either foreign or domestic, intended to
26 educate public officials on matters of public policy, to
27 which the public official may be invited to participate along
28 with other Federal, State or local public officials and
29 community leaders. Transportation, lodging, hospitality,
30 cash, a gift or anything of economic value received as a gift

1 as part of an educational mission shall be reported in
2 accordance with section 1105(b). The exception under this
3 paragraph shall not apply in any of the following
4 circumstances:

5 (i) The organization sponsoring the educational
6 mission is funded or sponsored, directly or indirectly,
7 by a registered lobbyist or principal.

8 (ii) The public official or public employee or the
9 spouse of the public official or public employee is
10 prohibited from soliciting or accepting transportation,
11 lodging, hospitality, cash, a gift or anything of
12 economic value as a gift from the organization sponsoring
13 the educational mission.

14 (8) Anything paid for by the Federal Government, State
15 government or other government or governmental entity under a
16 government contract.

17 (9) A plaque, trophy or other item that is substantially
18 commemorative in nature and has minimal value.

19 (10) Light food or refreshments, such as hors d'oeuvres,
20 provided in a group setting and intended for mass consumption
21 and not intended for the consumption of a specific employee.
22 Light food or refreshments as specified under this paragraph
23 shall be reported in accordance with section 1105(b). The
24 exception under this paragraph shall not apply in any of the
25 following circumstances:

26 (i) The organization providing the light food or
27 refreshments is funded or sponsored, directly or
28 indirectly, by a registered lobbyist or principal.

29 (ii) The public official or public employee or the
30 spouse of the public official or public employee is

1 prohibited from soliciting or accepting transportation,
2 lodging, hospitality, cash, a gift or anything of
3 economic value as a gift from the organization providing
4 the light food or refreshments.

5 (11) Items of nominal economic value such as greeting
6 cards, pens, caps or shirts or refreshments provided within
7 the context of a meeting such as complimentary water, coffee,
8 tea or similar refreshments.

9 Section 2. Section 1105(b)(6) and (7) of Title 65 are
10 amended to read:

11 § 1105. Statement of financial interests.

12 * * *

13 (b) Required information.--The statement shall include the
14 following information for the prior calendar year with regard to
15 the person required to file the statement:

16 * * *

17 (6) The name and address of the source and the amount of
18 any gift or gifts valued in the aggregate at [~~\$250~~] \$50 per
19 year or more from the same source and the circumstances of
20 each gift. This paragraph shall not apply to a gift or gifts
21 received from a spouse, parent, parent by marriage, sibling,
22 child, grandchild[,] or other family member or friend when
23 the circumstances make it clear that the motivation for the
24 action was a personal or family relationship. However, for
25 the purposes of this paragraph, the term "friend" shall not
26 include a registered lobbyist or an employee of a registered
27 lobbyist.

28 (7) The name and address of the source and the amount of
29 any payment for or reimbursement of actual expenses for
30 transportation and lodging or hospitality, a cash payment, a

1 gift or anything of economic value as a gift received in
2 connection with public office or employment where such actual
3 expenses for transportation and lodging or hospitality exceed
4 [~~\$650~~] \$0 in an aggregate amount per year. The payment for or
5 reimbursement of actual expenses shall be identified by the
6 type of expenses. This paragraph shall not apply to expenses
7 reimbursed by a governmental body or to expenses reimbursed
8 by an organization or association of public officials or
9 employees of political subdivisions which the public official
10 or employee serves in an official capacity.

11 * * *

12 Section 3. This act shall take effect in 60 days.