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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1600 Session of  
2021

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INTRODUCED BY PENNYCUICK, CUTLER, KERWIN, B. MILLER, HAMM,  
KEEFER, LEWIS, C. WILLIAMS, STAMBAUGH, DIAMOND, DOWLING,  
SMITH, GROVE, FEE, RYAN, SCHMITT, ROZZI, HELM, HERSHEY,  
OWLETT, MENTZER, BERNSTINE, ROWE AND GLEIM, JUNE 10, 2021

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 10, 2021

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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 definitions, for registration and for  
4 reporting; and making editorial changes.

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

7 Section 1. Section 13A03 of Title 65 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a definition to read:  
9 § 13A03. Definitions.

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

13 \* \* \*

14 "Campaign consultant." An individual who receives  
15 compensation for campaign-related professional services rendered  
16 to a campaign to elect an individual to office.

17 \* \* \*

18 Section 2. Section 13A04(a) and (e) of Title 65 are amended

1 and the section is amended by adding a subsection to read:

2 § 13A04. Registration.

3 (a) General rule.--Unless excluded under section 13A06  
4 (relating to exemption from registration and reporting), a  
5 lobbyist, lobbying firm [or a], principal or campaign consultant  
6 must register with the department electronically using the  
7 computerized filing system developed by the department that is  
8 consistent with the purposes of this chapter within ten days of  
9 acting in any capacity as a lobbyist, lobbying firm [or],  
10 principal or campaign consultant. Registration shall be biennial  
11 and shall begin January 1, 2007.

12 \* \* \*

13 (c.1) Campaign consultants.--A campaign consultant who is  
14 required to register under subsection (a) shall file a single  
15 registration statement providing the following information to  
16 the department:

17 (1) Name.

18 (2) Permanent business address.

19 (3) Daytime telephone number.

20 (4) E-mail address, if available.

21 (5) Name of the political candidate or candidates for  
22 whom the consultant will be working.

23 (6) Each office for which the political candidate is  
24 seeking election.

25 \* \* \*

26 (e) Termination.--

27 (1) A lobbyist, lobbying firm [or], principal or  
28 campaign consultant may terminate registration by filing  
29 notice of termination with the department electronically  
30 using the computerized filing system developed by the

1 department that is consistent with the purpose of this  
2 chapter.

3 (2) After a review of the notice of termination, but no  
4 later than 15 days after receipt of the notice, the  
5 department shall issue to the lobbyist, lobbying firm [or],  
6 principal or campaign consultant a letter stating that the  
7 registrant has terminated registration. The filing of notice  
8 shall not affect the commission's authority to conduct  
9 investigations and hearings under section 13A08(g) (relating  
10 to administration).

11 (3) No lobbying may occur after the filing of notice of  
12 termination unless the lobbying is pursuant to a separate  
13 registration statement which is filed with the department and  
14 which, at the time of the lobbying, has not been terminated.

15 (4) Nothing in this subsection shall be construed to  
16 exempt a lobbyist, lobbying firm [or], principal or campaign  
17 consultant from any of the requirements in section 13A05  
18 (relating to expense reporting).

19 Section 3. The heading of section 13A05 of Title 65 is  
20 amended to read:

21 § 13A05. [Reporting] Expense reporting.

22 \* \* \*

23 Section 4. Sections 13A06 introductory paragraph, 13A07(d)  
24 (5), 13A08(j) and 13A09(g)(2) of Title 65 are amended to read:

25 § 13A06. Exemption from registration and reporting.

26 The following persons and activities shall be exempt from  
27 registration under section 13A04 (relating to registration) and  
28 reporting under section 13A05 (relating to expense reporting):

29 \* \* \*

30 § 13A07. Prohibited activities.

1 \* \* \*

2 (d) Conflicts of interest.--

3 \* \* \*

4 (5) A principal or lobbyist required to report under  
5 section 13A05 (relating to expense reporting) shall include  
6 in the report a statement affirming that to the best of the  
7 principal's or lobbyist's knowledge the principal or lobbyist  
8 has complied with this section.

9 \* \* \*

10 § 13A08. Administration.

11 \* \* \*

12 (j) Inflation adjustment.--On a biennial basis commencing in  
13 January 2009, the department shall review the threshold under  
14 section 13A06 (relating to exemption from registration and  
15 reporting) for registration under section 13A04 (relating to  
16 registration) and the threshold for reporting under section  
17 13A05(d) (relating to expense reporting) and shall increase  
18 these amounts to rates deemed reasonable for assuring  
19 appropriate disclosure. On a biennial basis commencing in  
20 January 2009, the department shall review the filing fee  
21 established under section 13A10 (relating to registration fees;  
22 fund established; system; regulations) and may by regulation  
23 adjust this amount if the department determines that a higher  
24 fee is needed to cover the costs of carrying out the provisions  
25 of this chapter. The department shall publish adjusted amounts  
26 in the Pennsylvania Bulletin by June 1, 2009, and by June 1  
27 every two years thereafter as necessary.

28 \* \* \*

29 § 13A09. Penalties.

30 \* \* \*

1 (g) Affirmative defense.--Any of the following is an  
2 affirmative defense to an action brought under Chapter 11  
3 (relating to ethics standards and financial disclosure) or this  
4 chapter:

5 \* \* \*

6 (2) The respondent or defendant relied on notice under  
7 section 13A05(b) (3) (iv) (relating to expense reporting).

8 \* \* \*

9 Section 5. This act shall take effect in 60 days.