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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1601 Session of  
2021

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INTRODUCED BY HAMM, CUTLER, KERWIN, B. MILLER, PENNYCUICK,  
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 reporting, providing for equity reporting and  
4 further providing for administration; and making editorial  
5 changes.

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

8 Section 1. The heading of section 13A05 of Title 65 of the  
9 Pennsylvania Consolidated Statutes is amended to read:

10 § 13A05. [Reporting] Expense reporting.

11 \* \* \*

12 Section 2. Title 65 is amended by adding a section to read:

13 § 13A05.1. Equity reporting.

14 Each lobbying firm and lobbyist required to register under  
15 section 13A04(a) (relating to registration) shall, subject to  
16 the penalties under 18 Pa.C.S. § 4904 (relating to unsworn  
17 falsification to authorities), electronically file an annual  
18 equity report using the computerized filing system developed by

1 the department. Equity reports shall disclose any equity a  
2 lobbying firm or lobbyist holds in an entity for which they are  
3 lobbying and shall be consistent with the purpose of this  
4 chapter. Equity reports shall be filed no later than 30 days  
5 after the last day of the quarter and may include any additional  
6 information required by the department.

7 Section 3. Sections 13A06 introductory paragraph, 13A07(d)  
8 (5), 13A08(c) and (j) and 13A09(g) (2) of Title 65 are amended to  
9 read:

10 § 13A06. Exemption from registration and reporting.

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

14 \* \* \*

15 § 13A07. Prohibited activities.

16 \* \* \*

17 (d) Conflicts of interest.--

18 \* \* \*

19 (5) A principal or lobbyist required to report under  
20 section 13A05 (relating to expense reporting) shall include  
21 in the report a statement affirming that to the best of the  
22 principal's or lobbyist's knowledge the principal or lobbyist  
23 has complied with this section.

24 \* \* \*

25 § 13A08. Administration.

26 \* \* \*

27 (c) Public inspection and copying.--The department shall  
28 make completed registration statements, expense reports, equity  
29 reports and notices of termination, which have been filed with  
30 the department, available for public inspection and provide

1 copies of these documents at a price not in excess of the actual  
2 cost of copying. The department shall make all registrations and  
3 reports available on a publicly accessible Internet website.  
4 Documents maintained and reproducible in an electronic format  
5 shall be provided in that format upon request.

6 \* \* \*

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

23 \* \* \*

24 § 13A09. Penalties.

25 \* \* \*

26 (g) Affirmative defense.--Any of the following is an  
27 affirmative defense to an action brought under Chapter 11  
28 (relating to ethics standards and financial disclosure) or this  
29 chapter:

30 \* \* \*

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

3           \* \* \*

4 Section 4. This act shall take effect in 60 days.