

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2285 Session of 2018

INTRODUCED BY SNYDER, THOMAS, SCHLOSSBERG, SOLOMON, MURT,
 O'BRIEN, DEAN, D. MILLER, STURLA, DERMODY, KINSEY, HANNA,
 CONKLIN, CALTAGIRONE, DALEY, YOUNGBLOOD, BULLOCK, FRANKEL,
 PASHINSKI, SCHWEYER AND McCLINTON, APRIL 19, 2018

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 19, 2018

AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania
 2 Consolidated Statutes, in lobbying disclosure, further
 3 providing for registration, for prohibited activities and for
 4 penalties.

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

7 Section 1. Section 13A04(a) of Title 65 of the Pennsylvania
 8 Consolidated Statutes, amended February 14, 2018 (P.L.2, No.2),
 9 is amended and the section is amended by adding a subsection to
 10 read:

11 § 13A04. Registration.

12 (a) General rule.--Unless excluded under section 13A06
 13 (relating to exemption from registration and reporting) and
 14 subject to the requirements under subsection (f), a lobbyist,
 15 lobbying firm or a principal must register with the department
 16 electronically using the computerized filing system developed by
 17 the department that is consistent with the purposes of this
 18 chapter within ten days of acting in any capacity as a lobbyist,

1 lobbying firm or principal. Registration shall be biennial and
2 shall begin January 1, 2007.

3 * * *

4 (f) Training requirements and documentation.--The following
5 shall apply:

6 (1) Each individual who is a lobbyist and each
7 individual named on a principal's or lobbying firm's
8 registration statement under subsection (b)(1)(vii) shall, as
9 a condition of initial registration under this chapter and
10 biennially thereafter as a condition of continued
11 registration, complete a training session developed or
12 approved by the department that addresses the restricted
13 activities under section 1103(b) (relating to restricted
14 activities), the prohibited activities under section 13A07
15 (relating to prohibited activities) and the prevention of
16 discrimination and harassment, including sexual harassment.

17 (2) The department shall prescribe evidentiary
18 documentation proving completion of the training required
19 under paragraph (1), which shall be submitted along with the
20 filing of the initial registration statement and each renewal
21 registration statement.

22 Section 2. Section 13A07(f)(1) of Title 65 is amended by
23 adding a subparagraph to read:

24 § 13A07. Prohibited activities.

25 * * *

26 (f) Unlawful acts.--

27 (1) A lobbyist or principal may not:

28 * * *

29 (xi) Engage in discriminatory or harassing practices
30 prohibited by law.

1 * * *

2 Section 3. Section 13A09(a)(1) and (2) and (b)(1) of Title
3 65 are amended and subsection (b) is amended by adding a
4 paragraph to read:

5 § 13A09. Penalties.

6 (a) Notice of alleged noncompliance.--

7 (1) The commission shall issue a notice of alleged
8 noncompliance to a person that has failed to register [or],
9 report or complete training as required by this chapter.

10 * * *

11 (2) The notice shall state:

12 (i) the nature of the alleged noncompliance; and

13 (ii) the administrative and criminal penalties for:

14 (A) failure to register;

15 (B) failure to file; [or]

16 (C) filing a report which contains a false
17 statement or which is incomplete[.]; or

18 (D) failure to complete the training or submit
19 the documentation required under section 13A04(f)
20 (relating to registration).

21 * * *

22 (b) Hearing.--

23 (1) If a hearing is requested, the commission shall
24 determine at the hearing:

25 (i) whether the recipient of the notice is required
26 to register or report under this chapter;

27 (ii) whether the recipient of the notice is an
28 attorney at law; [and]

29 (iii) whether the failure to register or report was
30 negligent or intentional[.]; and

1 (iv) whether the recipient of, or other individual
2 named in, a notice issued under subsection (a) (2) (ii) (D)
3 failed to complete the training or submit the
4 documentation required under section 13A04(f).

5 * * *

6 (3.1) If the commission finds that a failure to complete
7 the training or submit the documentation required under
8 section 13A04(f) occurred, the commission shall determine the
9 amount of the administrative penalty to be imposed. The
10 penalty shall not exceed \$1,000.

11 * * *

12 Section 4. This act shall take effect in 90 days.