
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 266 Session of
2015

INTRODUCED BY LAWRENCE, V. BROWN, D. COSTA, CUTLER, DIAMOND,
GABLER, GROVE, JAMES, KAUFFMAN, KNOWLES, MURT, SACCONI,
TALLMAN AND TRUITT, FEBRUARY 4, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 4, 2015

AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania
2 Consolidated Statutes, in ethics standards and financial
3 disclosure, further providing for restricted activities.

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

6 Section 1. Section 1103(j) of Title 65 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 1103. Restricted activities.

9 * * *

10 (j) Voting conflict.--

11 (1) Where voting conflicts are not otherwise addressed
12 by the Constitution of Pennsylvania, by paragraph (2) or by
13 any law, rule, regulation, order or ordinance, the
14 [following] procedure prescribed in this paragraph shall be
15 employed. Any public official or public employee who in the
16 discharge of his official duties would be required to vote on
17 a matter that would result in a conflict of interest shall
18 abstain from voting and, prior to the vote being taken,

1 publicly announce and disclose the nature of his interest as
2 a public record in a written memorandum filed with the person
3 responsible for recording the minutes of the meeting at which
4 the vote is taken, provided that whenever a governing body
5 would be unable to take any action on a matter before it
6 because the number of members of the body required to abstain
7 from voting under the provisions of this section makes the
8 majority or other legally required vote of approval
9 unattainable, then such members shall be permitted to vote if
10 disclosures are made as otherwise provided herein. In the
11 case of a three-member governing body of a political
12 subdivision, where one member has abstained from voting as a
13 result of a conflict of interest and the remaining two
14 members of the governing body have cast opposing votes, the
15 member who has abstained shall be permitted to vote to break
16 the tie vote if disclosure is made as otherwise provided
17 herein.

18 (2) Any public official or public employee who is a
19 member of a board of school directors and who in the
20 discharge of his official duties would be required to vote on
21 a matter that would result in negotiating the terms and
22 conditions or approval of a collective bargaining agreement
23 between the board of school directors and a collective
24 bargaining unit that represents a member of the immediate
25 family of the member of the board of school directors shall
26 abstain from voting and, prior to the vote being taken,
27 publicly announce and disclose the nature of his interest as
28 a public record in a written memorandum filed with the person
29 responsible for recording the minutes of the meeting at which
30 the vote is taken.

1 Section 2. This act shall take effect in 120 days.