
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 1

Session of
2017

INTRODUCED BY REED, JANUARY 3, 2017

INTRODUCED, JANUARY 3, 2017

A RESOLUTION

1 Adopting permanent rules for the House of Representatives,
2 further providing for general appropriation bills and non-
3 preferred bills, for consideration of bills, for standing
4 committees and subcommittees, for organization of standing
5 committees and subcommittees, for powers and duties of
6 standing committees and subcommittees, for ethics committee,
7 for status of members indicted or convicted of a crime, for
8 investigations and for ethical rules definitions and conduct;
9 and providing for committee on ethics.

10 RESOLVED, That the Permanent Rules of the House of
11 Representatives (2015-2016) be adopted as the Permanent Rules of
12 the House of Representatives for the 2017-2018 session of the
13 House of Representatives with the following amendments to the
14 heading and to Rules 19(b), 21, 43, 44, 45, 47, 47(a), 51, 1E
15 and 2E and the addition of Rule 3E:

16 [2015-2016] 2017-2018

17 GENERAL OPERATING RULES

18 OF THE HOUSE OF REPRESENTATIVES

19 * * *

20 RULE 19 (b)

21 General Appropriation Bill and Non-Preferred Bills

22 This rule shall apply to all amendments offered to the

1 General Appropriation Bill for each proposed fiscal year
2 including any amendments offered to or for supplemental
3 appropriations to prior fiscal years contained within the
4 General Appropriation Bill, and shall also apply to all
5 amendments offered to any non-preferred appropriation bill for
6 the same fiscal year.

7 Any amendment offered on the floor of the House to the
8 General Appropriation Bill that proposes to increase spending of
9 State dollars for the Commonwealth's proposed fiscal year or
10 prior fiscal years above the levels contained in the General
11 Appropriation Bill as reported from the Appropriations Committee
12 plus any aggregate if certified each year by the Appropriations
13 Committee shall not be in order and may not be considered unless
14 the same amendment contains sufficient reductions in line items
15 of that General Appropriation Bill so that the amendment offered
16 does not result in a net increase in the total proposed spending
17 contained within the General Appropriation Bill plus any
18 aggregate if certified by the Appropriations Committee.

19 Any amendment offered on the floor of the House to any non-
20 preferred appropriation bill that proposes to increase spending
21 of State dollars for the [current] proposed fiscal year above
22 the levels contained in that non-preferred appropriation bill as
23 reported from the Appropriations Committee shall not be in order
24 and may not be considered unless the same amendment contains
25 sufficient reductions in that non-preferred appropriation bill
26 so that the amendment offered does not result in a net increase
27 in the total proposed spending contained within that non-
28 preferred appropriation bill.

29 Members shall be notified of the scheduled vote on the
30 General Appropriation Bill no later than 4:30 P.M. of the day

1 that is nine days prior to the scheduled vote of the General
2 Appropriation Bill. In order to be considered, amendments to the
3 General Appropriation Bill must be submitted to the Office of
4 the Chief Clerk by 2:00 P.M. of the [Monday of the week] day
5 that is four days prior to the scheduled vote of the General
6 Appropriation Bill. The Appropriations Committee for special and
7 proper reason and by majority vote, may waive this deadline.
8 [Members shall be notified of the scheduled vote on the General
9 Appropriation Bill no later than 4:30 P.M. of the Wednesday
10 preceding the above noted Monday on which the amendments must be
11 filed to the Bill.] Rule 21 of the Rules of the House, insofar
12 as it applies to the filing deadline for amendments and notice
13 requirements for the voting schedule for the General
14 Appropriation Bill, shall not apply to this rule. Rule 21 shall,
15 however, apply to the non-preferred appropriation bills.

16 If the amendment cannot be submitted in accordance with the
17 provision of the previous paragraph because it is still being
18 prepared by the Legislative Reference Bureau, the member must,
19 by 2:00 P.M. on the [Monday of the week] day that is four days
20 prior to the scheduled vote, provide the Office of the Chief
21 Clerk with a statement, prepared by the member containing the
22 factual content and exact amounts of increases and decreases in
23 line items which would be proposed in the amendment, along with
24 certification from the Legislative Reference Bureau that the
25 amendment was submitted to the Legislative Reference Bureau
26 prior to the above-noted 2:00 P.M. [on the aforementioned
27 Monday] deadline. This filing deadline does not apply to
28 amendments to any non-preferred appropriation bill.

29 Debate on any debatable question related to the General
30 Appropriation Bill or a nonpreferred appropriation bill shall be

1 limited to five minutes each time a member is recognized. On the
2 bill a sponsor of an amendment shall be entitled to be
3 recognized twice, a maker of a debatable motion shall be
4 entitled to be recognized twice, any other members shall be
5 entitled to be recognized once. Unless the chair or minority
6 chair of the Appropriations Committee objects to the
7 determination that a bill implements the General Appropriation
8 Bill, bills implementing the General Appropriation Bill shall be
9 subject to the limits of this paragraph.

10 * * *

11 RULE 21

12 Consideration of Bills

13 (a) Every bill and every joint resolution shall be
14 considered on three different days. All amendments made thereto
15 shall be printed for the use of the members before the final
16 vote is taken thereon, and before the final vote is taken, upon
17 written request addressed to the presiding officer by at least
18 25% of the members elected to the House, any bill shall be read
19 at length. No bill shall become law and no joint resolution
20 adopted unless, on its final passage, the vote is taken by yeas
21 and nays, the names of the persons voting for and against it are
22 entered on the Journal, and a majority of the members elected to
23 the House is recorded thereon as voting in its favor.

24 (Constitution, Article III, Section 4).

25 (b) Members shall be notified of bills and resolutions
26 scheduled to be voted no later than prior to the close of
27 business at 4:30 P.M. of the second legislative day prior to the
28 date of second consideration for legislation that has no legal
29 deadline. (The General Appropriation Act and non-preferred bills
30 are included within the definition of legislation that has no

1 legal deadline.) Except as provided in subsection (d), all
2 amendments shall be submitted to the Office of the Chief Clerk
3 by 2:00 P.M. of the last legislative day preceding the scheduled
4 date of second consideration. Members shall be notified of bills
5 scheduled to be voted on third consideration. A change in the
6 printer's number as a result of third consideration shall not
7 require an additional notice of final passage. No vote on final
8 passage can occur before the date of the scheduled vote.

9 (c) If the amendment cannot be submitted in accordance with
10 the above paragraph because it is still being prepared by the
11 Legislative Reference Bureau, the member must provide the Office
12 of the Chief Clerk with a statement, by the above-noted 2:00
13 P.M. deadline, prepared by the member containing the factual
14 content of said amendment along with certification from the
15 Legislative Reference Bureau that the amendment was submitted to
16 the Legislative Reference Bureau for drafting prior to the
17 above-noted 2:00 P.M. deadline.

18 (d) In cases where an amendment alters a bill so as to
19 effectively rule out of order an amendment which was timely
20 filed pursuant to the provisions of this rule, a replacement
21 amendment may be submitted to the Office of the Chief Clerk
22 provided that the subject matter of the replacement amendment is
23 not substantially different from the intent of the original
24 amendment. The replacement amendment shall be deemed to have met
25 the timely filed conditions provided for in this rule. The
26 member shall notify the Speaker of the member's intent to file a
27 replacement amendment and shall file a certificate with the
28 Office of the Chief Clerk. The bill in question may continue to
29 receive consideration but shall not be moved to third
30 consideration until the replacement amendment is available for a

1 vote. If consideration of the bill is delayed to a new
2 legislative day due solely to delay in receipt of replacement
3 amendments, then only amendments timely filed for the date of
4 the originally scheduled vote and replacement amendments shall
5 be considered. This limitation on amendments shall not apply to
6 the bill in question if consideration of the bill is rescheduled
7 beyond the new legislative day.

8 (e) A bill may not receive action on concurrence until at
9 least [24] six hours have elapsed from the time the bill and its
10 amendatory language was available to the public, unless the
11 amendment was a technical amendment as described under the first
12 paragraph of Rule 24 or an affirmative vote of 2/3 of the
13 members elected to the House indicates they have had sufficient
14 time to review the language and thereby approve proceeding with
15 the bill.

16 A brief description of every bill on concurrence shall be
17 given prior to a vote. Additionally, members shall be notified
18 and conference committee reports shall be available to members
19 at least 24 hours prior to the adoption of all conference
20 committee reports. When these reports are considered on the
21 first legislative day of the week, said notice shall be provided
22 no later than the close of business on the last business day
23 preceding the vote. Notwithstanding notice provided, members
24 may, by an affirmative vote of 2/3 of the members elected to the
25 House, indicate that they have had sufficient time to review a
26 conference committee report and that they approve proceeding
27 with a vote.

28 * * *

29 RULE 43

30 Standing Committees and Subcommittees

1 The Committee on Committees shall consist of the Speaker and
2 15 members of the House, ten of whom shall be members of the
3 majority party and five of whom shall be members of the minority
4 party, whose duty shall be to recommend to the House the names
5 of members who are to serve on the standing committees of the
6 House. Except for the Speaker, the Majority and Minority
7 Leaders, Whips, Caucus Chairs, Caucus Secretaries, Caucus
8 Administrators, Policy Chairs and the chairs and minority chairs
9 of standing committees, each member shall be entitled to serve
10 on not less than two standing committees.

11 The Speaker shall appoint the chair and vice-chair of each
12 standing committee when such standing committee has no standing
13 subcommittees as prescribed herein, except the Committee on
14 Appropriations which shall also have a vice-chair appointed by
15 the Speaker; when the standing committee has standing
16 subcommittees, the Speaker shall appoint a subcommittee chair
17 for each standing subcommittee. The Speaker shall appoint a
18 secretary for each standing committee. The Minority Leader shall
19 appoint the minority chair, minority vice-chair and minority
20 secretary of each standing committee and the minority
21 subcommittee chair for each standing subcommittee.

22 Except for members who decline chair status or minority chair
23 status in writing or who are barred from serving as a chair or
24 minority chair under this rule, the chair and minority chair of
25 each standing committee except the Appropriations Committee
26 shall be limited only to the members of the applicable caucus
27 with the most seniority as members of their respective caucus.
28 Whenever there are more caucus members with equal seniority than
29 available chairs or minority chairs for that caucus, the
30 selection of a chair or minority chair from among such caucus

1 members shall be in the discretion of the appointing authority.
2 The appointing authority may designate the standing committee to
3 which the appointing authority shall appoint a member as chair
4 or minority chair without regard to seniority. The Speaker and
5 the Floor Leader, Whip, Caucus Chair, Caucus Secretary, Caucus
6 Administrator and Policy Chair of the majority party and
7 minority party shall not be eligible to serve as chair or
8 minority chair of any standing committee and no member may serve
9 as chair or minority chair of more than one standing committee.

10 Any chair or minority chair held by a member who fails to
11 meet the requirements of this rule shall become vacant by
12 automatic operation of this rule. If the appointing authority
13 fails to make an appointment of a chair or minority chair prior
14 to the organizational meeting of a standing committee or fails
15 to fill a vacancy within seven calendar days after it occurs,
16 such position shall be deemed to remain vacant in violation of
17 this rule. Whenever a chair or minority chair becomes vacant or
18 remains vacant in violation of this rule, the member of the
19 applicable caucus who meets the requirements of this rule shall
20 automatically fill the vacancy and, if there are two or more
21 such eligible caucus members for any such vacancy or vacancies,
22 they shall be filled from among such eligible members through a
23 lottery to be conducted under the supervision of the Chief Clerk
24 after giving notice of the time and place thereof to all
25 eligible members, to the Speaker, to the Majority Leader and to
26 the Minority Leader.

27 Nothing in this rule shall prohibit the appointing authority
28 from transferring a member from the chair or minority chair of a
29 standing committee to the chair or minority chair of another
30 standing committee.

1 Whenever the appointment of a chair or minority chair will
2 cause the applicable caucus to exceed its permissible allocation
3 of members on a standing committee, the appointing authority
4 shall make a temporary transfer of an eligible committee member
5 to the standing committee vacated by the member appointed as
6 chair or minority chair until a regular committee appointment
7 can be made in accordance with the rules of the House. If the
8 Speaker or Minority Leader fails to make a temporary transfer
9 within seven calendar days after such appointment, the committee
10 member with the least seniority, who is eligible for transfer,
11 shall be automatically transferred to the committee vacated by
12 the newly appointed chair or minority chair and, if more than
13 one committee member is eligible for such transfer, the transfer
14 shall be implemented through a lottery conducted under the
15 supervision of the Chief Clerk.

16 The Speaker of the House, Floor Leader of the majority party
17 and the Floor Leader of the minority party shall be ex-officio
18 members of all standing committees, without the right to vote
19 and they shall be excluded from any limitation as to the number
20 of members on the committees or in counting a quorum.

21 Twenty-four standing committees of the House, each to consist
22 of 27 members except the Committee on Appropriations, which
23 shall consist of 37 members, are hereby created. In addition,
24 there are hereby created [46] 48 standing subcommittees.

25 All standing committees shall consist of 16 members of the
26 majority party and 11 members of the minority party, except the
27 Committee on Appropriations which shall consist of 22 members of
28 the majority party and 15 members of the minority party. The
29 quorum for each of the standing committees and subcommittees
30 shall be no less than the majority of said committees. The

1 following are the standing committees and subcommittees thereof:

2 (1) Aging and Older Adult Services

3 (a) Subcommittee on Care and Services

4 (b) Subcommittee on Programs and Benefits

5 (2) Agriculture and Rural Affairs

6 (3) Appropriations

7 (a) Subcommittee on Health and [Welfare] Human Services

8 (b) Subcommittee on Education

9 (c) Subcommittee on Economic Impact and Infrastructure

10 (d) Subcommittee on Fiscal Policy

11 (e) Subcommittee on Criminal Justice

12 (f) Subcommittee on Government and Financial Oversight

13 (4) Children and Youth

14 (5) Commerce

15 (a) Subcommittee on Financial Services and Banking

16 (b) Subcommittee on Housing

17 (c) Subcommittee on Economic Development

18 (d) Subcommittee on Small Business

19 (6) Consumer Affairs

20 (a) Subcommittee on Public Utilities

21 (b) Subcommittee on Telecommunications

22 (7) Education

23 (a) Subcommittee on Basic Education

24 (b) Subcommittee on Higher Education

25 (c) Subcommittee on Special Education

26 (d) Subcommittee on Career and Technical Education

27 (8) Environmental Resources and Energy

28 (a) Subcommittee on Energy

29 (b) Subcommittee on Mining

30 (c) Subcommittee on Parks and Forests

- 1 (9) Finance
- 2 (10) Game and Fisheries
- 3 (11) Gaming Oversight
- 4 (12) Health
 - 5 (a) Subcommittee on Health Facilities
 - 6 (b) Subcommittee on Health Care
- 7 (13) Human Services
 - 8 (a) Subcommittee on Mental Health
 - 9 (b) Subcommittee on Drugs and Alcohol
- 10 (14) Insurance
- 11 (15) Judiciary
 - 12 (a) Subcommittee on Crime and Corrections
 - 13 (b) Subcommittee on Courts
 - 14 (c) Subcommittee on Family Law
- 15 (16) Labor and Industry
- 16 (17) Liquor Control
 - 17 (a) Subcommittee on Licensing
 - 18 (b) Subcommittee on Marketing
- 19 (18) Local Government
 - 20 (a) Subcommittee on Boroughs
 - 21 (b) Subcommittee on Counties
 - 22 (c) Subcommittee on Townships
- 23 (19) Professional Licensure
- 24 (20) State Government
 - 25 (a) Subcommittee on Government Operations
 - 26 (b) Subcommittee on Federal-State Relations
- 27 (21) Tourism and Recreational Development
 - 28 (a) Subcommittee on Arts and Entertainment
 - 29 (b) Subcommittee on Recreation
 - 30 (c) Subcommittee on Travel Promotion, History and

- 1 Heritage
- 2 (22) Transportation
- 3 (a) Subcommittee on Highways
- 4 (b) Subcommittee on Public Transportation
- 5 (c) Subcommittee on Transportation Safety
- 6 (d) Subcommittee on Aviation
- 7 (e) Subcommittee on Railroads
- 8 (23) Urban Affairs
- 9 (a) Subcommittee on Cities, Counties - First Class
- 10 (b) Subcommittee on Cities, Counties - Second Class
- 11 (c) Subcommittee on Cities, Third Class
- 12 (24) Veterans Affairs and Emergency Preparedness
- 13 (a) Subcommittee on Military and Veterans Facilities
- 14 (b) Subcommittee on Security and Emergency Response
- 15 Readiness

16 RULE 44

17 Organization of Standing Committees
18 and Subcommittees

19 The membership of each standing committee shall first meet
20 upon the call of its chair and perfect its organization. A
21 majority of the members to which each standing committee is
22 entitled shall constitute a quorum for it to proceed to
23 business. Each standing committee shall have the power to
24 promulgate rules not inconsistent with these rules which may be
25 necessary for the orderly conduct of its business.

26 Where a standing committee has standing subcommittees as
27 prescribed by Rule 43, the membership on such standing
28 subcommittees shall be appointed by the Committee on Committees
29 after consultation with each chair of a standing committee of
30 which the standing subcommittee is a part. Each standing

1 subcommittee shall consist of the chair and minority chair of
2 its parent standing committee, [as an ex-officio member,] the
3 chair of the standing subcommittee, and five other members from
4 the parent standing committee to be appointed by the Committee
5 on Committees, three from among the majority party after
6 consultation with the Majority Leader and two from among the
7 minority party after consultation with the Minority Leader.
8 Where it is deemed advisable that the membership of any standing
9 subcommittee be of greater number than that prescribed herein,
10 the Committee on Committees may appoint additional members of
11 the standing committee from the majority or minority party to
12 serve on such standing subcommittee. The number of additional
13 members selected should be such as to maintain, as far as is
14 practicable, a ratio in majority and minority party membership
15 which affords a fair and reasonable representation to the
16 minority party on the standing subcommittee.

17 The chair and the minority chair of each standing committee
18 shall be [ex-officio] members of each standing subcommittee
19 which is part of the parent standing committee, with the right
20 to attend standing subcommittee meetings and vote on any matter
21 before such standing subcommittee.

22 A majority of the members of each standing subcommittee shall
23 constitute a quorum for the proper conduct of its business. Each
24 standing subcommittee may promulgate such rules necessary for
25 the conduct of its business which are not inconsistent with the
26 rules of its parent standing committee or the Rules of the
27 House.

28 When the chair of a standing committee has referred a bill,
29 resolution or other matter to a standing subcommittee, the power
30 and control over such bill, resolution or other matter shall

1 then reside in such subcommittee for a reasonable period of time
2 thereafter in order that such subcommittee may consider the
3 bill, resolution or other matter and return the same to its
4 standing committee with its recommendations as to the action
5 which ought to be taken on such bill, resolution or other
6 matter.

7 Each standing subcommittee, within a reasonable time after it
8 has received a bill, resolution or other matter, shall meet as a
9 committee for the purpose of considering the same and returning
10 the bill, resolution or other matter back to its parent standing
11 committee with a subcommittee report as to what action it
12 recommends. The report of the subcommittee on a bill, resolution
13 or other matter being returned to the standing committee shall
14 contain one of the following recommendations:

15 (1) that the bill, resolution or other matter in its present
16 form be reported to the House,

17 (2) that the bill, resolution, or other matter not be
18 reported to the House,

19 (3) that the bill, resolution or other matter be reported to
20 the House, with recommendations for amendments,

21 (4) that the bill, resolution or other matter is returned
22 without recommendations.

23 When a standing committee receives reports from its
24 subcommittees, it shall consider the same and by majority vote
25 of the members of the standing committee either approve or
26 disapprove such report. If disapproved, the standing committee
27 may then determine by a majority vote of its members what
28 further action, if any, should be taken on such bill, resolution
29 or other matter.

30 Where no action has been taken by a standing subcommittee on

1 a bill, resolution or other matter referred to it, and the chair
2 of the standing committee considers that such subcommittee has
3 had reasonable time to consider the bill, resolution or other
4 matter and return the same to its parent standing committee, the
5 subcommittee chair shall then forthwith surrender and forward
6 the same, together with all documents or papers pertaining
7 thereto, to the standing committee.

8 In the event that a chair of a standing committee is absent,
9 the following rules shall apply in the following order of
10 precedence:

11 (1) If such standing committee has a vice-chair, the vice-
12 chair of the standing committee shall act as chair of the
13 committee meetings.

14 (2) If such standing committee has only one subcommittee,
15 the subcommittee chair shall act as chair of the standing
16 committee.

17 (3) If the standing committee has more than one
18 subcommittee, the subcommittee chair with the longest
19 consecutive legislative service shall act as chair of the
20 standing committee, except where the subcommittee chairs have
21 equal legislative service, in which case the Speaker of the
22 House shall designate one of the subcommittee chairs to act as
23 chair of the standing committee.

24 In case of absence of a subcommittee chair, the chair of the
25 appropriate standing committee shall designate one member from
26 either the standing committee or subcommittee to act as chair of
27 the subcommittee.

28 RULE 45

29 Powers and Duties of Standing Committees
30 and Subcommittees

1 The chair of each standing committee and subcommittee shall
2 fix regular weekly, biweekly or monthly meeting days for the
3 transaction of business before the committee or subcommittee.
4 The chair of the committee or subcommittee shall notify all
5 members, at least 24 hours in advance of the date, time and
6 place of regular meetings, and, insofar as possible, the
7 subjects on the agenda. In addition to regular meetings, special
8 meetings may be called from time to time by the chair of the
9 committee or subcommittee as they deem necessary. No recess or
10 combination of recesses shall exceed 48 hours for any committee
11 meeting or subcommittee meeting. No committee shall meet during
12 any session of the House without first obtaining permission of
13 the Speaker. During any such meeting, no vote shall be taken on
14 the Floor of the House on any amendment, recommittal motion,
15 final passage of any bill, or any other matter requiring a roll
16 call vote. Any committee meeting called off the Floor of the
17 House shall meet in a committee room. In addition to the
18 specific provisions of this rule, all provisions of 65 Pa.C.S.
19 Ch. 7 (relating to open meetings) relative to notice of meetings
20 shall be complied with.

21 At regularly scheduled meetings, or upon the call of the
22 chair, or subcommittee chair, for special meetings, the
23 membership of such committees shall meet to consider any bill,
24 resolution, or other matter on the agenda. The secretary of each
25 standing committee, or in case of subcommittees a secretary
26 designated by the subcommittee chair, shall record:

- 27 (1) the minutes of the meeting,
- 28 (2) all votes taken,
- 29 (3) a roll or attendance of members at standing committee or
30 subcommittee meetings showing the names of those present, absent

1 or excused from attendance, and the majority and minority chairs
2 or their designees shall verify by their signatures all votes
3 taken and the roll or attendance of those members present,
4 absent or excused before said records are submitted to the Chief
5 Clerk, and

6 (4) dispatch of bills and resolutions before the committee.

7 Such records shall be open to public inspection. On the first
8 legislative day of each week the House is in session, the chair
9 of each standing committee shall submit to the Chief Clerk for
10 inclusion in the House Journal only, the roll or record of
11 attendance of members at standing committee or subcommittee
12 meetings held prior thereto and not yet reported, along with the
13 record of all votes taken at such meetings. All reports from
14 standing committees shall be prepared in writing by the
15 secretary of the committee. Members of a standing committee may
16 prepare in writing and file a minority report, setting forth the
17 reasons for their dissent. Such committee reports shall be filed
18 with the Chief Clerk within five days of the meeting. All
19 meetings at which formal action is taken by a standing committee
20 or subcommittee shall be open to the public, making such reports
21 as are required under Rule 44. When any member, except for an
22 excused absence, fails to attend five consecutive regular
23 meetings of his or her committee, the chair of that committee or
24 subcommittee shall notify the member of that fact and, if the
25 member in question fails to reasonably justify absences to the
26 satisfaction of a majority of the membership of the standing
27 committee of which he or she is a member, membership on the
28 committee or subcommittee shall be deemed vacant and the chair
29 of the standing committee shall notify the Speaker of the House
30 to that effect. Such vacancy shall then be filled in the manner

1 prescribed by these rules.

2 Whenever the chair of any standing committee shall refuse to
3 call a regular meeting, then a majority of the members of the
4 standing committee may vote to call a meeting by giving two days
5 written notice to the Speaker of the House, setting the time and
6 place for such meeting. Such notice shall be read in the House
7 and the same posted by the Chief Clerk in the House Chamber.
8 Thereafter, the meeting shall be held at the time and place
9 specified in the notice. In addition, all provisions of 65
10 Pa.C.S. Ch. 7 (relating to open meetings) relative to notice of
11 meetings shall be complied with.

12 Records, bills and other papers in the possession of
13 committees and subcommittees, upon final adjournment of the
14 House shall be filed with the Chief Clerk.

15 No committee report, except a report of the Appropriations
16 Committee, shall be recognized by the House, unless the same has
17 been acted upon by a majority vote of the members of a standing
18 committee present at a committee session actually assembled and
19 meeting as a committee, provided such majority vote numbers at
20 least 12 members, and provided further a quorum is present. No
21 committee report of the Appropriations Committee shall be
22 recognized by the House, unless the same has been acted upon by
23 a majority vote of the members of such committee present at a
24 committee session actually assembled and meeting as a committee,
25 provided such majority vote numbers at least 17 members, and
26 provided further a quorum is present.

27 No proxy voting shall be permitted in committee, except as
28 provided for herein. If a member reports to a scheduled
29 committee meeting and advises the chair and other members of a
30 conflicting committee meeting or other legislative meeting which

1 he or she must attend on the same day, the member is authorized
2 to give the chair or minority chair his or her proxy in writing
3 which shall be valid only for that day and which shall include
4 written instructions for the exercise of such proxy by the chair
5 or minority chair during the meeting. The member should also
6 advise the chair where he or she can be reached. In the event
7 the conflicting committee meeting or other legislative meeting
8 is scheduled to convene at the same time or prior to the meeting
9 at which a member desires to vote by proxy, such proxy shall be
10 delivered [by the member in person to the offices of] to both
11 the chair and minority chair prior to, but on the same day as,
12 the conflicting meetings.

13 When the majority of the members of a standing committee
14 believe that a certain bill or resolution in the possession of
15 the standing committee should be considered and acted upon by
16 such committee, they may request the chair to include the same
17 as part of the business of a committee meeting. Upon failure of
18 the chair to comply with such request, the membership may
19 require that such bill be considered by written motion made and
20 approved by a majority vote of the entire membership to which
21 such committee is entitled.

22 Whenever the phrase "majority of members of a standing
23 committee or subcommittee" is used in these rules, it shall mean
24 majority of the entire membership to which a standing committee
25 or subcommittee is entitled, unless the context thereof
26 indicates a different intent.

27 To assist the House in appraising the administration of the
28 laws and in developing such amendments or related legislation as
29 it may deem necessary, each standing committee or subcommittee
30 of the House shall exercise continuous watchfulness of the

1 execution by the administrative agencies concerned of any laws,
2 the subject matter of which is within the jurisdiction of such
3 committee or subcommittee; and, for that purpose, shall study
4 all pertinent reports and data submitted to the House by the
5 agencies in the executive branch of the Government.

6 The Committee on Appropriations shall have the power to issue
7 subpoenas under the hand and seal of its chair commanding any
8 person to appear before it and answer questions touching matters
9 properly being inquired into by the committee, which matters
10 shall include data from any fund administered by the
11 Commonwealth, and to produce such books, papers, records,
12 accounts, reports, documents and data and information produced
13 and stored by any electronic data processing system as the
14 committee deems necessary. Such subpoenas may be served upon any
15 person and shall have the force and effect of subpoenas issued
16 out of the courts of this Commonwealth. Any person who willfully
17 neglects or refuses to testify before the committee or to
18 produce any books, papers, records, accounts, reports, documents
19 or data and information produced and stored by any electronic
20 data processing system shall be subject to the penalties
21 provided by the laws of the Commonwealth in such case. Each
22 member of the committee shall have power to administer oaths and
23 affirmations to witnesses appearing before the committee. The
24 committee may also cause the deposition of witnesses either
25 residing within or without the State to be taken in the manner
26 prescribed by law for taking depositions in civil actions.

27 * * *

28 [RULE 47

29 Ethics Committee

30 As used in the context of this rule, the word "committee"

1 shall mean the Committee on Ethics of the House of
2 Representatives, and the phrase "majority of the committee"
3 shall mean a majority of the members to which the committee is
4 entitled.

5 The committee shall consist of eight members: four of whom
6 shall be members of the majority party appointed by the Speaker,
7 and four of whom shall be members of the minority party
8 appointed by the Minority Leader. The Speaker shall appoint from
9 the members a chair, vice chair and secretary for the committee.
10 The chair shall be a member of the majority party and the vice
11 chair shall be a member of the minority party.

12 The chair shall notify all members of the committee at least
13 24 hours in advance of the date, time and place of a regular
14 meeting. Whenever the chair shall refuse to call a regular
15 meeting, a majority of the committee may vote to call a meeting
16 by giving two days' written notice to the Speaker of the House
17 setting forth the time and place for such meeting. Such notice
18 shall be read in the House and posted in the House Chamber by
19 the Chief Clerk, or a designee. Thereafter, the meeting shall be
20 held at the time and place specified in such notice.

21 The committee shall compile and distribute a Members'
22 Handbook on Ethics to advise members, officers and employees of
23 the House on matters regarding conflicts of interest, and
24 nonfeasance, malfeasance and misfeasance in legislative duties.

25 Each member shall be required to complete two hours of ethics
26 education and training each legislative term. For the purposes
27 of this rule, a member shall be excused from one hour of ethics
28 training for any full year the member was absent due to illness,
29 injury, military service or any other permissible excuse under
30 Rule 64(a). The committee shall be responsible for planning and

1 offering ethics education programs.

2 The committee shall conduct its investigations, hearings and
3 meetings relating to a specific investigation or a specific
4 member, officer or employee of the House in closed session and
5 the fact that such investigation is being conducted or to be
6 conducted or that hearings or such meetings are being held or
7 are to be held shall be confidential information unless the
8 person subject to investigation advises the committee in writing
9 that he or she elects that such hearings shall be held publicly.
10 In the event of such an election, the committee shall furnish
11 such person a public hearing. All other meetings of the
12 committee shall be open to the public.

13 The committee shall receive complaints against members,
14 officers and employees of the House, and persons registered or
15 carrying on activities regulated by 65 Pa.C.S. Ch. 13A (relating
16 to lobbying disclosure), alleging illegal or unethical conduct.
17 Any such complaint must be in writing sworn or affirmed to by
18 the person filing the complaint under penalty of law under 18
19 Pa.C.S. § 4904 (relating to unsworn falsification to
20 authorities) and must set forth in detail the conduct in
21 question and the section of the "Legislative Code of Ethics,"
22 the provision of 65 Pa.C.S. Ch. 13A, the Ethical Conduct Rules
23 of the House of Representatives or the House rule violated. As a
24 general rule, no person shall disclose or acknowledge to any
25 other person any information relating to the filing of a
26 complaint, except as otherwise authorized under this rule or to
27 carry out a function of the committee. The committee shall make
28 a preliminary investigation of the complaint, and if it is
29 determined by a majority of the committee that a violation of
30 the rule or law may have occurred, the person against whom the

1 complaint has been brought shall be notified in writing and
2 given a copy of the complaint. If at any time a majority of the
3 committee determines that the complaint was a "frivolous
4 complaint" as defined under 65 Pa.C.S. § 1102 (relating to
5 definitions), or made without probable cause and primarily for a
6 purpose other than that of reporting illegal or unethical
7 conduct, then the committee shall notify the complainant and the
8 person against whom the complaint has been brought of such
9 determination. Within 15 days after receipt of the complaint,
10 such person may file a written answer thereto with the
11 committee. Upon receipt of the answer, by vote of a majority of
12 the committee, the committee shall either dismiss the complaint
13 within ten days or proceed with a formal investigation, to
14 include hearings, not less than ten days nor more than 30 days
15 after notice in writing to the persons so charged. Failure of
16 the person charged to file an answer shall not be deemed to be
17 an admission or create an inference or presumption that the
18 complaint is true, and such failure to file an answer shall not
19 prohibit a majority of the committee from either proceeding with
20 a formal investigation or dismissing the complaint.

21 A majority of the committee may initiate a preliminary
22 investigation of the suspected violation of the Legislative Code
23 of Ethics, 65 Pa.C.S. Ch. 13A, the Ethical Conduct Rules of the
24 House of Representatives or a House rule by a member, officer or
25 employee of the House or lobbyist. If it is determined by a
26 majority of the committee that a violation of a rule or law may
27 have occurred, the person in question shall be notified in
28 writing of the conduct in question and the section of the
29 "Legislative Code of Ethics," the provision of 65 Pa.C.S. Ch.
30 13A, the Ethical Conduct Rules of the House of Representatives

1 or the House rule violated. Within 15 days, such person may file
2 a written answer thereto. Upon receipt of the answer, by vote of
3 a majority of the committee, the committee shall either dismiss
4 the charges within ten days or proceed with a formal
5 investigation, to include hearings, not less than ten days nor
6 more than 30 days after notice in writing to the person so
7 charged. Failure of the person charged to file an answer shall
8 not be deemed to be an admission or create an inference or
9 presumption that the charge is true, and such failure to file an
10 answer shall not prohibit a majority of the committee from
11 either proceeding with a formal investigation or dismissing the
12 charge.

13 In the event that the committee shall elect to proceed with a
14 formal investigation of the conduct of any member, officer or
15 employee of the House, the committee shall employ independent
16 counsel who shall not be employed by the House for any other
17 purpose or in any other capacity during such investigation.

18 All constitutional rights of any person under investigation
19 shall be preserved, and such person shall be entitled to present
20 evidence, cross-examine witnesses, face his or her accuser, and
21 be represented by counsel.

22 The chair may continue any hearing for reasonable cause, and
23 upon the vote of a majority of the committee or upon the request
24 of the person subject to investigation, the chair shall issue
25 subpoenas for the attendance and testimony of witnesses and the
26 production of documentary evidence relating to any matter under
27 formal investigation by the committee. The committee may
28 administer oaths or affirmations and examine and receive
29 evidence.

30 All testimony, documents, records, data, statements or

1 information received by the committee in the course of any
2 investigation shall be private and confidential except in the
3 case of public hearings or in a report to the House. No report
4 shall be made to the House unless a majority of the committee
5 has made a finding of unethical or illegal conduct on the part
6 of the person under investigation. No finding of unethical or
7 illegal conduct shall be valid unless signed by at least a
8 majority of the committee. Any such report may include a
9 minority report. The committee shall have the authority to
10 recommend to the House action as appropriate. No action shall be
11 taken by the House on any finding of illegal or unethical
12 conduct nor shall such finding or report containing such finding
13 be made public sooner than seven days after a copy of the
14 finding is sent by certified mail to the member, officer or
15 employee under investigation.

16 The committee may meet with a committee of the Senate to hold
17 investigations or hearings involving employees of the two houses
18 jointly or officers or employees of the Legislative Reference
19 Bureau, the Joint State Government Commission, the Local
20 Government Commission, the Legislative Budget and Finance
21 Committee and the Legislative Data Processing Committee;
22 provided, however, that no action may be taken at a joint
23 meeting unless it is approved by a majority of the committee.

24 In the event that a member of the committee shall be under
25 investigation, such member shall be temporarily replaced on the
26 committee in a like manner as said member's original
27 appointment.

28 The committee, at the request of a member, officer or
29 employee concerned about an ethical problem relating to the
30 member, officer or employee alone or in conjunction with others,

1 may render advisory opinions with regard to questions pertaining
2 to legislative ethics or decorum. Such advisory opinions shall
3 be confidential and shall apply exclusively to the requestor. No
4 requestor who acts in good faith on an advisory opinion issued
5 to that requestor by the Ethics Committee shall be subject to
6 any sanctions for so acting if the material facts are as stated
7 in the advisory opinion request.

8 A member shall not create, maintain or cause to be created or
9 maintained a legislative nonprofit organization. A "legislative
10 nonprofit organization" means a nonprofit corporation or other
11 entity whose primary purpose is to receive funds under the
12 General Appropriations Act or another appropriations act at the
13 discretion or by reason of the influence of a member for the use
14 at the direction or discretion of the member. The Ethics
15 Committee shall issue to any member upon the member's request a
16 legislative nonprofit organization opinion with respect to the
17 member's duties under this rule. The Ethics Committee shall,
18 within 14 days, issue the legislative nonprofit organization
19 opinion. No member who acts in good faith on a legislative
20 nonprofit organization opinion issued to that member by the
21 Ethics Committee shall be subject to any sanctions for so acting
22 if the material facts are as stated in the legislative nonprofit
23 organization opinion request. The Ethics Committee's legislative
24 nonprofit organization opinions shall be public records and may
25 from time to time be published, except that the member
26 requesting the legislative nonprofit organization opinion may
27 require that the legislative nonprofit organization opinion
28 contain deletions and changes necessary to protect the identity
29 of the persons involved.

30 Any member of the committee breaching the confidentiality of

1 materials and events as set forth in this rule shall be removed
2 immediately from the committee and replaced by another member of
3 the House in a like manner as said member's original
4 appointment.

5 The committee may adopt rules of procedure for the orderly
6 conduct of its affairs, investigations, hearings and meetings,
7 which rules are not inconsistent with this rule.

8 The committee shall continue to exist and have authority and
9 power to function after the sine die adjournment of the General
10 Assembly and shall so continue until the expiration of the then
11 current term of office of the members of the committee.]

12 RULE 47 [(a)]

13 Status of Members Indicted or Convicted of a Crime

14 When an indictment is returned or a charge is filed before a
15 court of record against a member of the House, and the gravamen
16 of the indictment or charge is directly related to the member's
17 conduct as a committee chair or ranking minority committee
18 member or in a position of leadership or is one which would
19 render the member ineligible to the General Assembly under
20 section 7 of Article II of the Constitution of Pennsylvania, the
21 member shall be relieved of committee chair status, ranking
22 minority committee member status or leadership position until
23 the indictment or charge is disposed of, but the member shall
24 otherwise continue to function as a Representative, including
25 voting, and shall continue to be paid.

26 If, during the same legislative [session] term, the
27 indictment or charge is quashed, dismissed or withdrawn, or the
28 court finds that the member is not guilty of the offense
29 alleged, the member shall immediately be restored to committee
30 chair status, ranking minority committee member status or the

1 leadership position retroactively from which he or she was
2 suspended.

3 Upon a finding or verdict of guilt by a judge or jury, plea
4 or admission of guilt or plea of nolo contendere of a member of
5 the House of a crime, the gravamen of which relates to the
6 member's conduct as a Representative or which would render the
7 member ineligible to the General Assembly under section 7 of
8 Article II of the Constitution of Pennsylvania, [and upon] the
9 Parliamentarian of the House may, upon the request of the Chair
10 and Vice-Chair of the House Ethics Committee, prepare a
11 resolution of expulsion. Upon imposition of sentence, the
12 Parliamentarian of the House shall prepare a resolution of
13 expulsion under the sponsorship of the Chair and Vice-Chair of
14 the House Ethics Committee. The resolution shall be printed and
15 placed on the calendar for the next day of House session.

16 * * *

17 RULE 51

18 Investigations

19 Any standing committee, subcommittee or select committee,
20 upon resolution introduced and approved by majority vote of the
21 House, may be authorized and empowered to conduct hearings at
22 any place in the Commonwealth to investigate any matter provided
23 for in such resolution. When authorized by such a resolution,
24 such committee shall be empowered to issue subpoenas under the
25 hand and seal of the chair thereof commanding any person to
26 appear before it and answer questions touching matters properly
27 being inquired into by the committee and produce such books,
28 papers, records, accounts, reports, [and] documents and data and
29 information produced and stored by an electronic data processing
30 system as the committee deems necessary. Such subpoenas may be

1 served upon any person and shall have the force and effect of
2 subpoenas issued out of the courts of this Commonwealth. Where
3 any person willfully neglects or refuses to comply with any
4 subpoena issued by the committee or refuses to testify before
5 the committee on any matter regarding which the person may be
6 lawfully interrogated, it shall be the duty of the committee to
7 report such disobedience or refusal to the House of
8 Representatives, and such person shall be subject to the
9 penalties provided by the laws of the Commonwealth in such
10 cases. All such subpoenaed books, papers, records, accounts,
11 reports, [and] documents and data and information produced and
12 stored by any electronic data processing system shall be
13 returned to the person from whom such material was subpoenaed
14 when the committee has completed its examination of such
15 material, but in no event later than the date on which the
16 committee completes its investigation. Such material, or any
17 information derived therefrom not a part of public sessions of
18 the committee, shall not be turned over to any person or
19 authority without the consent of the person from whom such
20 material was subpoenaed. Each member of the committee shall have
21 power to administer oaths and affirmations to witnesses
22 appearing before the committee. The Sergeant-at-Arms of the
23 Legislature or other person designated by the committee shall
24 serve any subpoenas issued by the committee, when directed to do
25 so by the committee. The subpoena shall be addressed to the
26 witness, state that such proceeding is before a committee of the
27 House at which the witness is required to attend and testify at
28 a time and place certain and be signed by the chair of the
29 committee commanding attendance of such witness. Mileage and
30 witness fees shall be paid to such witness in an amount

1 prescribed by law.

2 The chair of the investigative hearing shall call the
3 committee to order and announce in an opening statement the
4 subject or purposes of the investigation.

5 A copy of this rule shall be made available to the witnesses
6 at least three calendar days prior to his or her scheduled
7 testimony. Witnesses at investigative hearings, may be
8 accompanied by their own counsel for the purpose of advising
9 them concerning their constitutional rights. The chair, for
10 breaches of order or decorum or of professional ethics on the
11 part of counsel, may exclude counsel from the hearing. Counsel
12 may interpose legal objection to any and all questions which in
13 the opinion of counsel may violate the civil or constitutional
14 rights of his or her clients.

15 If the committee determines that evidence or testimony at an
16 investigative hearing may tend to defame, degrade or incriminate
17 any person, it shall:

- 18 (1) receive such evidence or testimony in executive session;
- 19 (2) afford such person an opportunity voluntarily to appear
20 as a witness; and
- 21 (3) receive and dispose of requests from such person to
22 subpoena additional witnesses.

23 No evidence or testimony taken in executive session may be
24 released to any person or authority or used in public sessions
25 without the consent of the committee.

26 Proceedings of all public hearings shall be either
27 stenographically or electronically recorded. The committee shall
28 determine which parts of such recorded proceedings, if any,
29 shall be transcribed and four copies thereof shall be
30 distributed and additional copies made available as provided in

1 Rule 50. Such stenographic or electronic records shall be
2 preserved by the Chief Clerk until directed to dispose of same
3 by an affirmative vote of three-quarters of the entire
4 membership of the Rules Committee and shall be made available to
5 any member upon written request for the purpose of transcription
6 at that member's expense. Any transcribed records and any
7 reports of the committee shall be filed with the Chief Clerk or
8 a designee and shall be made available to any person in
9 accordance with reasonable rules and regulations prescribed by
10 the Chief Clerk.

11 Upon payment of a reasonable cost to be determined by the
12 Chief Clerk, a person may obtain a copy of the transcript of any
13 testimony given at a public session or, if given at an executive
14 session when authorized by the committee. All standing
15 committees, subcommittees, special committees or commissions
16 which are authorized to hold public hearings and investigations
17 shall file a final report before being discharged of delegated
18 responsibilities.

19 * * *

20 RULE 1 E

21 Definitions

22 The following words and phrases when used in the Ethical
23 Conduct Rules of the House of Representatives shall have the
24 meanings given to them in this Rule unless the context clearly
25 indicates otherwise:

26 "Campaign." An effort organized in support of or opposition
27 to the nomination, election or re-election of an individual to
28 elective office.

29 "Campaign activity." An activity on behalf of a candidate,
30 political party, political committee, campaign, campaign

1 committee, political organization or political body which is
2 intended to influence the outcome of an election, including any
3 of the following:

4 (1) Organizing a campaign meeting, campaign rally or
5 other campaign event, including a fund-raiser where campaign
6 contributions are solicited or received.

7 (2) Preparing or completing responses to questionnaires
8 that are intended primarily for campaign use.

9 (3) Preparing, reviewing or filing a campaign finance
10 report.

11 (4) Conducting background research on a candidate or an
12 elected official to be used or intended to be used to
13 influence the outcome of an election.

14 (5) Preparing, conducting or participating in campaign
15 polling.

16 (6) Preparing, circulating or filing a candidate
17 nominating petition or papers.

18 (7) Participating in, preparing, reviewing or filing a
19 legal challenge to a nominating petition or papers.

20 (8) Preparing, distributing or mailing campaign
21 literature, campaign signs or other campaign material on
22 behalf of or in opposition to any candidate.

23 (9) Managing a campaign.

24 (10) Participating in, preparing, reviewing or filing
25 documents in a recount, challenge or contest of an election.

26 (11) Posting campaign-related information on a website
27 or social media website.

28 (12) Soliciting an individual's vote for a candidate.

29 (13) Working at a polling place.

30 "Campaign contribution." A monetary or in-kind contribution

1 made to a candidate or a campaign.

2 "Campaign polling." The preparation, compilation, collection
3 or gathering of information, including focus groups and surveys,
4 reflecting public opinion as to an elected official, group of
5 elected officials, candidate, group of candidates, political
6 party, political committee, campaign, campaign committee,
7 political organization or political body that is intended to be
8 used for the purpose of supporting or opposing the nomination,
9 election or re-election of an individual to elective office.

10 "Candidate." An individual seeking nomination, election or
11 re-election to an elective office.

12 "Committee." The Committee on Ethics of the House of
13 Representatives.

14 "De minimus." An economic consequence which has an
15 insignificant effect.

16 "Elected official." An individual elected by the public to
17 serve a term in an elective office. The term shall include an
18 individual appointed to fill an unexpired term in an elective
19 office.

20 "Election." A general, special, municipal or primary
21 election, including elections at which a candidate for elective
22 office in a Federal governmental body is on the ballot.

23 "Elective office." A position in a governmental body to
24 which an individual is required under the Constitution of
25 Pennsylvania, the Constitution of the United States or by law to
26 be elected by the public.

27 "Frivolous complaint." A complaint filed in a grossly
28 negligent manner without basis in law or fact.

29 "House employee." The term includes the following:

30 (1) A person employed by the Office of the Speaker of

1 the House of Representatives, the House Republican Caucus or
2 the House Democratic Caucus.

3 (2) Except as otherwise precluded by law, an officer of
4 the House or a person employed by an officer of the House.

5 "House office." Legislative offices and work spaces,
6 including:

7 (1) An office assigned to a Member for the conduct of
8 legislative duties, wherever located.

9 (2) House conference or meeting rooms located in the
10 Capitol complex.

11 (3) A legislative district office.

12 (4) The offices of an officer of the House.

13 "House resources." House-owned or House-leased equipment
14 including telephones, computer hardware or software, copiers,
15 scanners, fax machines, file cabinets or other office furniture,
16 cell phones, personal digital assistants or similar electronic
17 devices, and office supplies.

18 "House work time." Compensated time spent in the performance
19 of duties by a House employee.

20 "Independent counsel." An attorney engaged by the Committee
21 for the purpose of investigating and prosecuting a specific
22 complaint who shall not be employed during the investigation for
23 any other purpose or in any other capacity by the House, the
24 committee or a Member.

25 "Legislative nonprofit organization." A nonprofit
26 corporation or other entity whose primary purpose is to receive
27 funds under the General Appropriation Act or another
28 appropriation act at the discretion or by reason of the
29 influence of a Member for use at the discretion or direction of
30 the Member.

1 "Majority of the Committee" or "majority." A majority of the
2 Members to which the Committee is entitled.

3 "Mass communication." The term shall include, but not be
4 limited to, the following if they are paid for with House funds:

5 (1) Any newsletter or similar mailing of more than 50
6 pieces a day in which the content of the matter is
7 substantially identical.

8 (2) Any electronic mail transmission to more than 50
9 addresses per day in which the content of the matter is
10 substantially identical.

11 (3) Any public service announcement via radio or
12 television broadcast that depicts the name, voice or image of
13 a Member.

14 (4) Any telemarketing activities or robocalls on behalf
15 of a Member, except for limited surveys to determine public
16 opinion on various issues that do not use the name, voice or
17 image of a Member.

18 "Member." An individual elected to serve in the Pennsylvania
19 House of Representatives.

20 "Officers of the House." The Chief Clerk, the Comptroller
21 and the Parliamentarian of the Pennsylvania House of
22 Representatives.

23 "Official mailing lists." Any list containing individuals,
24 companies or vendors, including names, addresses, telephone
25 numbers or e-mail addresses that are procured, compiled,
26 maintained or produced with House funds.

27 "Own time." A House employee's time that is distinct from
28 House work time and includes time that is spent on
29 vacation/annual leave and personal leave. The term does not
30 include compensatory leave.

1 "Restricted period." The 60-day period immediately preceding
2 an election at which the Member is a candidate.

3 "Subject." A person against whom a complaint has been filed
4 with the Committee.

5 RULE 2 E

6 Conduct

7 (1) No campaign activity may be conducted by a House
8 employee on House work time. No campaign activity may be
9 conducted in a House office or with House resources or House
10 funds. The following shall apply:

11 [(1)] (a) House employees are permitted to engage in
12 campaign activities on their own time.

13 [(2)] (b) The solicitation or receipt of campaign
14 contributions in a House office, on House work time or with
15 House resources is prohibited. If an unsolicited contribution
16 is sent to a House office through the mail or in an
17 unidentifiable form, the employee who receives it shall turn
18 it over to the applicable campaign and, within two business
19 days, notify the donor, if known, that campaign contributions
20 should not be sent or delivered to a House office.

21 [(3)] (c) No House employee may be allocated any leave
22 time for time spent engaging in campaign activities on his or
23 her own time.

24 [(4)] (d) A House employee, with the permission of his
25 or her employer, may go on leave without pay or benefits to
26 engage in campaign activities.

27 [(5)] (e) A House employee who announces his or her
28 candidacy for a House seat or files nomination petitions or
29 papers or for whom a nomination certificate is filed to run
30 for a House seat shall be put on leave without pay or

1 benefits during the duration of his or her candidacy unless
2 the employee voluntarily leaves House employment.

3 [(6)] (f) De minimis campaign activities may be
4 unavoidable for a Member or House employee in the course of
5 their official duties and shall not be considered a violation
6 of these ethical conduct rules. This includes the following
7 activities:

8 [(a)] (i) A Member or House employee may, in
9 responding to inquiries from the public, need to address
10 incidental questions that relate to a Member's or another
11 person's campaign or a related legislative record.

12 [(b)] (ii) A Member or House employee may provide
13 scheduling assistance and information to campaign staff
14 to ensure that no conflict occurs among the Member's
15 campaign schedule, official schedule and personal
16 schedule.

17 [(c)] (iii) A Member or House employee may engage in
18 political conversation in the natural course of personal
19 communication.

20 [(7)] (g) A Member's official State website or State
21 social media website shall not contain a link to his or her
22 campaign website or campaign social media website.

23 [(8)] (h) No House employee may be required to make a
24 campaign contribution as a condition of employment or
25 continued employment.

26 [(9)] (i) No House employee may be required to perform
27 any campaign activity, on House work time or the employee's
28 own time, as a condition of employment or continued
29 employment.

30 [(10)] (j) No House employee who agrees or offers to

1 participate in a campaign activity on the employee's own
2 time, or makes a campaign contribution, shall receive
3 additional House compensation or employee benefit in the form
4 of a salary adjustment, bonus, compensatory time off,
5 continued employment or any other similar benefit in return.

6 [(11)] (k) A House employee who refuses to participate
7 in a campaign activity or to make a campaign contribution
8 shall not be sanctioned for that refusal.

9 [(12)] (l) Official House mailing lists shall be used
10 solely for legislative purposes and shall not be provided to
11 a candidate, political party, political committee, campaign,
12 campaign committee, political organization or political body
13 to be used for any campaign activity.

14 [(13)] (m) House computers shall not be used to create
15 or update any mailing list that identifies the listed
16 individuals as campaign volunteers or campaign contributors
17 to a candidate, political party, political committee,
18 campaign or campaign committee, political organization or
19 political body.

20 [(14)] (n) No list may be developed by a Member or a
21 House employee for the purpose of monitoring or tracking
22 campaign activity or campaign contributions of a House
23 employee.

24 (o) A Member shall not use campaign funds for any event
25 that occurs inside any House office except to pay expenses
26 related to receptions in honor of a Member's swearing-in to
27 or retirement from the Pennsylvania House of Representatives.

28 [(15)] (2) No mass communication shall be made at the
29 direction or on behalf of any Member which is delivered to a
30 postal facility or otherwise distributed [within 60 days

1 immediately preceding an election at which the Member is a
2 candidate] during a restricted period. Nothing in this
3 subsection shall apply to any mass communication:

4 (a) in response to inquiries or affirmative requests
5 from persons to whom the matter is communicated,

6 (b) sent to colleagues in the General Assembly or other
7 government officials, or

8 (c) which consists entirely of news releases to the
9 communications media.

10 [(16)] (3) No House employee may be required to perform any
11 task unrelated to the House employee's official duties, on House
12 work time or the employee's own time, as a condition of
13 employment or continued employment.

14 [(17)] (4) No House employee who agrees or offers to perform
15 a task unrelated to the House employee's official duties, on the
16 employee's own time, shall receive any additional House
17 compensation or employee benefit in the form of a salary
18 adjustment, bonus, compensatory time off, continued employment
19 or any other similar benefit in return.

20 [(18)] (5) A House employee who refuses to perform a task
21 unrelated to the House employee's official duties while on House
22 work time shall not be sanctioned for that refusal.

23 [(19)] A Member shall not use campaign funds for any event
24 that occurs inside any House office except to pay expenses
25 related to receptions in honor of a Member's swearing-in to or
26 retirement from the Pennsylvania House of Representatives.]

27 [(20)] (6) No Member or House employee may accept a cash
28 gift unless from a spouse, parent, parent by marriage, sibling,
29 child, grandchild, other family member or friend when the
30 circumstances make it clear that the motivation for the gift was

1 a personal or family relationship. For the purposes of this
2 paragraph, a "friend" shall not include a registered lobbyist or
3 an employee of a registered lobbyist. Nothing under this
4 paragraph shall prevent a Member or House employee from
5 accepting a campaign contribution otherwise authorized by law.

6 (7) A Member shall not create, maintain or cause to be
7 created or maintained a legislative nonprofit organization.

8 RULE 3 E

9 COMMITTEE ON ETHICS

10 The Committee shall consist of eight Members, four of whom
11 shall be members of the majority party appointed by the Speaker,
12 and four of whom shall be members of the minority party
13 appointed by the Minority Leader. From the Members appointed to
14 the Committee, the Speaker shall appoint a chair, vice-chair and
15 secretary for the Committee. The chair shall be a member of the
16 majority party, and the vice chair shall be a member of the
17 minority party.

18 The members of the Committee shall first meet upon the call
19 of the chair and perfect its organization. A majority of the
20 Committee shall constitute a quorum for it to proceed to
21 business. Unless otherwise provided in this rule, a majority of
22 the Committee shall be required to take any action authorized by
23 this rule. The Committee shall have the power to promulgate
24 rules not inconsistent with this rule or Rules of the House that
25 may be necessary for the orderly conduct of its business.

26 The chair of the Committee shall notify all members of the
27 Committee at least 24 hours in advance of the date, time and
28 place of meetings and, insofar as possible, the subjects on the
29 agenda. Meetings may be called from time to time by the chair of
30 the Committee as the chair deems necessary. A member of the

1 Committee may request that the chair call a meeting for a
2 specific purpose. If the chair refuses to call a meeting upon
3 such request, a majority of the Committee may vote to call a
4 meeting by giving two days' written notice to the Speaker of the
5 House setting forth the time and place for such meeting. Such
6 notice shall be read in the House and posted in the House
7 Chamber by the Chief Clerk or a designee. Thereafter, the
8 meeting shall be held at the time and place specified in such
9 notice.

10 The Committee shall not continue to exist after sine die
11 adjournment of the General Assembly. Proceedings on matters
12 before the Committee that have not been concluded or disposed of
13 by October 31 of the second year of a legislative term shall
14 cease on such date and all documents, reports, communications,
15 transcripts and other materials compiled by the Committee for
16 such matters shall be collected, organized and submitted to the
17 Chief Clerk under seal for transition to the reconstituted
18 Committee consisting of Members appointed from the incoming
19 General Assembly. These materials shall be held in a secure
20 manner and nothing in this rule shall authorize the Chief Clerk
21 or any other person to view such materials. Within 30 days
22 following the reconstitution of the Committee in the next
23 succeeding legislative term, the Committee shall review such
24 materials and determine whether or not to proceed with one or
25 more of the matters under review by the former Committee. Any
26 time period required for any actions of the Committee or others
27 under this rule shall be tolled until the reconstituted
28 Committee has made a determination whether or not to proceed.
29 If the Committee determines to proceed with a matter, the
30 Committee shall continue from the stage in the consideration of

1 the matter where the former Committee ended.

2 The Committee shall compile, update and distribute a Members'
3 Handbook on Ethics for Members and House Employees on matters
4 regarding the ethical conduct of their legislative duties. Each
5 Member shall complete two hours of ethics education and training
6 each legislative term. A Member shall be excused from one hour
7 of ethics training for any full year the Member was absent due
8 to illness, injury, military service or any other permissible
9 excuse under General Operating Rule 64(a). The Committee shall
10 be responsible for planning and offering ethics education
11 programs.

12 The Committee shall issue to a Member upon the Member's
13 request an advisory opinion regarding the Member's duties under
14 Rule 2E relating to legislative nonprofit organizations. The
15 opinion shall be issued within 14 days following the request. No
16 Member who acts in good faith on an opinion issued under this
17 paragraph shall be subject to any sanctions for so acting if the
18 material facts are as stated in the request. Opinions issued
19 under this paragraph shall be public records and may from time
20 to time be published. Notwithstanding the foregoing, the Member
21 requesting the opinion may request that an opinion undergo
22 deletions and changes necessary to protect the identity of the
23 persons involved, and the Committee shall make such deletions
24 and changes.

25 The Committee may issue other advisory opinions with regard
26 to questions pertaining to other legislative ethics or decorum
27 at the request of a Member or House employee. An opinion issued
28 under this paragraph shall be confidential and shall apply
29 exclusively to the requestor. No requestor who acts in good
30 faith on an opinion issued under this paragraph shall be subject

1 to any sanctions for acting in accordance with the opinion if
2 the material facts are as stated in the request.

3 The Committee may receive complaints against Members and
4 House employees alleging unethical conduct under the Legislative
5 Code of Ethics or the Rules of the House. A complaint must be in
6 writing and be signed by the person filing the complaint under
7 penalty of law under 18 Pa.C.S. § 4904 (relating to unsworn
8 falsification to authorities). The complaint must set forth in
9 detail the actions constituting the alleged unethical conduct.
10 No person shall disclose or acknowledge to any other person any
11 information relating to the filing of a complaint or the
12 proposed filing of a complaint, except as otherwise authorized
13 under this rule, for the purpose of seeking legal advice, as
14 otherwise required by law or to carry out a function of the
15 Committee.

16 The Committee shall not have jurisdiction over, shall not
17 accept for review or action and shall return to the complainant
18 with a notice explaining the Committee's lack of jurisdiction
19 any of the following:

20 (1) a complaint filed later than five years following
21 the occurrence of the alleged unethical conduct;

22 (2) a complaint filed against a former Member or former
23 House employee unless required by Section 7(c) of the
24 Legislative Code of Ethics; or

25 (3) a complaint filed against a Member during a
26 restricted period.

27 A five-year limitations period that expires during a
28 restricted period shall be tolled until the day following the
29 election occurring at the expiration of the restricted period.

30 Within 30 days following receipt of a complaint over which

1 the Committee has jurisdiction under this rule, the Committee
2 shall do one of the following:

3 (1) dismiss the complaint if it:

4 (a) alleges facts that do not constitute unethical
5 conduct;

6 (b) is objectively baseless;

7 (c) is insufficient as to form;

8 (d) is a frivolous complaint; or

9 (2) initiate a preliminary investigation of the alleged
10 unethical conduct.

11 If the Committee initiates a preliminary investigation, it
12 shall, promptly upon voting to proceed, send the subject a
13 letter setting forth each allegation in the complaint. Within 15
14 days after receipt of the letter, the subject may file a written
15 response with the Committee. Failure of the subject to file a
16 response shall not be deemed to be an admission, or create an
17 inference or presumption, that the allegations in the complaint
18 are true, and such failure shall not prohibit the Committee from
19 either proceeding with the preliminary or a formal investigation
20 or dismissing the complaint. The Committee may engage an
21 independent counsel to assist in a preliminary investigation.

22 The subject may be represented by counsel of the subject's
23 choosing at any point during an investigation under this rule.

24 A member of the Committee who is the complainant, the subject
25 or a witness to the conduct alleged in a complaint shall not
26 participate in any Committee consideration of the complaint. The
27 Member shall be temporarily replaced on the Committee in a like
28 manner as his or her original appointment.

29 Within 30 days following the initiation of a preliminary
30 investigation, the Committee shall vote to dismiss the complaint

1 for lack of probable cause to support the alleged conduct or to
2 proceed with a formal investigation because it finds that
3 probable cause exists. If a majority of the Committee is unable
4 to agree on either course of action, the Committee shall dismiss
5 the complaint. The Committee shall promptly notify the subject
6 in writing of the result.

7 If the Committee votes to proceed with a formal
8 investigation, the Committee shall engage an independent counsel
9 unless the Committee determines that the alleged conduct raised
10 in the complaint does not warrant the expense of engaging an
11 independent counsel. If the Committee does not engage an
12 independent counsel, the Committee shall be represented in the
13 investigation and any hearing conducted under this rule by
14 Committee staff attorneys, including at least one from each
15 party.

16 The Committee, including Committee staff attorneys, and any
17 independent counsel engaged by the Committee shall have the
18 power to conduct investigations and hearings under the
19 guidelines set out in this rule. Where a provision of this rule
20 conflicts with another Rule of the House, the provision of this
21 rule shall govern. This rule shall be construed to empower the
22 Committee and its independent counsel to do all of the
23 following:

- 24 (1) act as a neutral fact-finder;
25 (2) protect due process and other constitutional rights
26 of a subject;
27 (3) fully investigate and deter unethical conduct; and
28 (4) protect the public trust.

29 The Chief Clerk shall pay the fees and expenses of an
30 Independent Counsel engaged by the Committee under this rule.

1 The Committee may issue subpoenas for documents or testimony
2 as part of a preliminary investigation, a formal investigation
3 or in connection with a hearing before the Committee.
4 Notwithstanding the provision of any other Rule of the House,
5 subpoenas issued under this rule shall be in the name of the
6 Committee, shall be signed by the chair of the Committee and
7 shall be attested by another member of the Committee who voted
8 in favor of authorizing the subpoena.

9 A subpoena issued by the Committee may be served upon any
10 person and shall have the force and effect of a subpoena issued
11 out of the courts of this Commonwealth. Subpoenas shall be
12 served by the Sergeant-at-Arms of the House or another person
13 designated by the Committee when directed to do so by the
14 Committee. Each subpoena shall be addressed to the witness and
15 shall state that such proceeding is before a Committee of the
16 House for which the witness is required to attend and testify at
17 a specified time and place; or to produce books, papers,
18 records, accounts, reports, documents and data and information
19 produced and stored by any electronic data processing system; or
20 both, as the Committee may also require. Mileage and witness
21 fees shall be paid by the House to such witness in an amount
22 prescribed by law. Unless addressed to and served on the
23 subject, a copy of a subpoena issued by the Committee shall be
24 provided to the subject and the subject's counsel, if
25 applicable. A person who willfully neglects or refuses to comply
26 with a subpoena issued by the Committee shall be subject to the
27 penalties provided by the laws of this Commonwealth with respect
28 to such willful neglect or refusal. Notwithstanding the
29 foregoing, a recipient of a subpoena issued by the Committee may
30 object to the subpoena by serving notice of such objection on

1 the signatory to the subpoena and the Committee. The Committee
2 may quash or modify the subpoena if it finds the subpoena to be
3 overly broad or without proper purpose. Each member of the
4 Committee shall have the power to administer oaths and
5 affirmations to witnesses appearing before the Committee.

6 All subpoenaed books, papers, records, accounts, reports,
7 documents, data and information shall be returned to the person
8 from whom such material was subpoenaed when the Committee has
9 completed its examination of such material, but in no event
10 later than the date of final disposition of the matter.

11 Following the completion of a formal investigation, the
12 Committee shall conduct a hearing if:

13 (1) the independent counsel engaged by the Committee
14 recommends that a hearing be conducted and the Committee
15 votes to adopt the recommendation; or

16 (2) an independent counsel was not engaged by the
17 Committee but the Committee finds that the testimony and
18 documents reviewed by the Committee during the formal
19 investigation indicates more likely than not that the
20 unethical conduct alleged in the complaint occurred.

21 If a hearing is to be conducted, the Committee shall provide
22 the subject and the subject's counsel, if applicable, with
23 written notice consistent with constitutional principles of due
24 process. The Pennsylvania Rules of Evidence shall apply during
25 the hearing, unless the Committee determines otherwise.

26 Notwithstanding the foregoing, the Committee may not infringe on
27 the right of the subject to present evidence, cross-examine
28 witnesses, face his or her accuser and be represented by counsel
29 at a hearing conducted under this rule.

30 Witnesses called to appear at a hearing under this rule,

1 including a subject, may be accompanied by his or her own
2 counsel for the purpose of advising him or her concerning his or
3 her constitutional rights. Counsel may interpose legal objection
4 to any and all questions which in the opinion of counsel may
5 violate the constitutional rights of his or her clients.

6 The proceedings of a hearing conducted under this rule shall
7 be either stenographically or electronically recorded. The
8 Committee shall determine which parts of such recorded
9 proceedings, if any, shall be transcribed.

10 The burden shall be on the independent counsel, if one has
11 been engaged by the Committee, or the Committee staff attorneys,
12 if an independent counsel has not been engaged, to prove, by
13 clear and convincing evidence, that the unethical conduct
14 alleged in the complaint occurred. Within 30 days following the
15 conclusion of the formal investigation and hearing, the
16 Committee shall make a determination as to whether the burden
17 was met and shall submit its finding to the House. If the
18 Committee finds that the burden was met, the Committee may make
19 one or more of the following recommendations to the House:

20 (1) a reprimand of the subject;
21 (2) a censure of the subject;
22 (3) expulsion of the subject from the House; or
23 (4) the denial or limitation of any right, power or
24 privilege of the Member granted by Rules of the House and not
25 contrary to the Pennsylvania Constitution.

26 The Committee shall provide a written report of its findings
27 and recommendations, if any, to the subject and shall
28 simultaneously submit a copy of the same to the House. Only
29 findings and recommendations agreed to by a majority of the
30 Committee shall be included in the report. The report may

1 include a minority report. The House shall not take any action
2 on the findings and recommendations submitted by the Committee
3 and shall not make such findings and recommendations public
4 until a period of at least seven days has passed following the
5 Committee's provision of the report to the subject.

6 The Committee may extend any of the time periods, other than
7 those relating to the jurisdiction of the Committee, required
8 for any actions of the Committee or others under this rule.

9 Investigations, hearings and meetings of the Committee
10 relating to an investigation and the existence of such
11 investigations, hearings, and meetings shall be confidential.
12 All other meetings of the Committee shall be open to the public.

13 Notwithstanding the above, the Committee shall conduct a
14 hearing in public upon the written request of the subject unless
15 the Committee determines that evidence or testimony to be
16 received at the hearing may substantially defame, degrade, or
17 incriminate a person other than the subject. In that event, the
18 Committee shall receive such evidence or testimony in executive
19 session. No evidence or testimony taken in executive session may
20 be released to any person or authority or used in public
21 sessions without the consent of the Committee.

22 The Committee may enter into a consent agreement with the
23 subject at any point in the proceedings.

24 The complaint, response and records of the Committee shall be
25 confidential. Notwithstanding the foregoing:

26 (1) consent agreements and final findings by the
27 Committee of unethical conduct and the Committee's
28 recommendations with respect to such findings shall not be
29 confidential; and

30 (2) the subject may, in his or her discretion, make

1 public a finding by the Committee that no unethical conduct
2 had occurred or that there was insufficient evidence
3 presented to the Committee that unethical conduct had
4 occurred.

5 Any member of the Committee breaching the confidentiality
6 provisions set forth in this rule shall be removed immediately
7 from the Committee and replaced by another Member in a like
8 manner as his or her original appointment.

9 The Committee may meet with a committee of the Senate to hold
10 investigations or hearings involving complaints against
11 employees of the two chambers jointly or officers or employees
12 of the Legislative Reference Bureau, the Joint State Government
13 Commission, the Local Government Commission, the Legislative
14 Budget and Finance Committee, the Legislative Data Processing
15 Committee or other legislative service agencies. No action may
16 be taken at a joint meeting unless it is approved by the
17 Committee. A member of the Committee who is the complainant, the
18 subject or a witness to the unethical conduct alleged in a
19 complaint under this paragraph shall not participate in any
20 joint proceedings under this paragraph. The Member shall be
21 temporarily replaced on the Committee in a like manner as his or
22 her original appointment.