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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1151 Session of  
2018

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INTRODUCED BY BREWSTER, FONTANA, FARNESE AND COSTA,  
APRIL 24, 2018

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REFERRED TO STATE GOVERNMENT, APRIL 24, 2018

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AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania  
2 Consolidated Statutes, in lobbying disclosure, further  
3 providing for 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,  
19 lobbying firm or principal. Registration shall be biennial and

1 shall begin January 1, 2007.

2 \* \* \*

3 (f) Training.--

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

16 (2) Documentation satisfactory to the department  
17 evidencing completion of the training required under  
18 paragraph (1) shall be submitted with the filing of an  
19 initial registration statement and each renewal registration  
20 statement.

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

23 § 13A07. Prohibited activities.

24 \* \* \*

25 (f) Unlawful acts.--

26 (1) A lobbyist or principal may not:

27 \* \* \*

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

30 \* \* \*

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

4 § 13A09. Penalties.

5 (a) Notice of alleged noncompliance.--

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

9 \* \* \*

10 (2) The notice shall state:

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

12 (ii) the administrative and criminal penalties for:

13 (A) failure to register;

14 (B) failure to file; [or]

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

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

20 \* \* \*

21 (b) Hearing.--

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

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

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

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

30 (iv) whether the registrant receiving the notice

1           issued under subsection (a) failed to complete the  
2           training or submit the documentation required under  
3           section 13A04(f).

4           \* \* \*

5           (3.1) If the commission finds that a failure to complete  
6           the training or submit the documentation required under  
7           section 13A04(f) occurred, the commission shall determine the  
8           amount of the administrative penalty to be imposed. The  
9           administrative penalty shall not exceed \$1,000.

10          \* \* \*

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