



SENATE OF PENNSYLVANIA BILL SUMMARY

House Bill 1175 Printer's No. 2201

Prime Sponsor: Representative Cutler
Committee: State Government

SYNOPSIS:

Amends the lobbying disclosure provisions of Title 65 to increase penalties that may be imposed on lobbyists or principals for violations of the law.

SUMMARY:

Amends Chapter 13A of Title 65 (relating to lobbying disclosure) to:

1. Increase the maximum administrative penalty that may be imposed by the Ethics Commission when it has been determined that a lobbyist or principal has committed an unlawful act under the law.
 - The bill will increase the maximum fine to \$2,000 from \$4,000.
 - An unlawful act includes, but is not limited to: knowingly advising a person to violate the lobbying disclosure law, as well as other state/federal laws; refusing to identify a principal; attempting to influence a state official by providing a loan to the official or providing campaign contributions to an official who is a candidate; instigating introduction of legislation for the purpose of obtaining employment to lobby in opposition to the legislation; counseling a person to engage in fraudulent conduct; and influencing a state official by extortion, coercion or bribery.
2. Increase the maximum administrative penalty that may be imposed for negligent failure to report under the lobbying disclosure law from \$50 per late day to:
 - \$50 per late day for the first 10 days;
 - \$100 per late day after the first 10 late days through the 20th late day; and
 - \$200 per late day after the first 20 late days.
3. Require electronic registration/reporting by lobbyists/principals.
4. Require the Department of State (DOS) to:
 - post all filings on its publicly accessible website within seven days of receipt; and
 - issue electronic receipts to registrants who file documents electronically.
5. Require that a registered principal's quarterly expense reports shall be subject to Section 4904 of Title 18 (relating to unsworn falsification to authorities). Information on all registration and reporting forms are also subject to this provision.

Effective Date: A portion of the bill takes effect January 1, 2018. The remainder of this act shall take effect immediately.

Amendment A04690

Clarifies that principals and lobbying firms shall provide the name of an authorized agent of the association or business organization upon registration who is responsible for compliance with the act, and that notices issued by the Department or the Commission to a principal or lobbying firm shall be delivered to the authorized representative, employee or agent. With respect to penalties, also clarifies that notice of alleged noncompliance, in the case of a principal or lobbying firm, the notice shall be addressed to the authorized agent listed on the registration for a principal or lobbying firm. Also includes a definition for “authorized representative, employee or agent.”

BILL HISTORY:

Referred to House State Government, April 12, 2017

Reported as committed, May 9, 2017

First consideration, May 9, 2017

Second consideration, with amendments, June 30, 2017

Re-committed to Appropriations, June 30, 2017

Re-reported as committed, July 7, 2017

Third consideration and final passage (190-0), July 7, 2017

Referred to Senate State Government, July 14, 2017. Similar legislation (HB1348) was referred to and reported from the Senate State Government Committee during the 2015-2016 legislative session.

Prepared by: Totino 11/8/2017