
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1983 Session of
2015

INTRODUCED BY DAVIS, DERMODY, HANNA, CARROLL, YOUNGBLOOD,
FRANKEL, PETRARCA, KIM, DeLUCA, DEAN, PASHINSKI, O'BRIEN,
WATSON, MULLERY, TRUITT, D. MILLER, SANTARSIERO AND CONKLIN,
APRIL 11, 2016

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 11, 2016

AN ACT

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

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

6 Section 1. Title 65 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1103.1. Gift ban.

9 (a) Gifts.--Except as otherwise provided for in this
10 section, no public official or public employee shall receive,
11 accept, take, seek or solicit any gift having either a fair
12 market value or aggregate actual cost greater than \$25 from any
13 person in a calendar year.

14 (b) Exception.--The prohibition in subsection (a) shall not
15 apply to the following:

16 (1) A gift from a relative.

17 (2) A gift from an individual on the basis of a personal

1 friendship unless the public official or public employee has
2 reason to believe the gift was made because of the official
3 position or employment of the public official or public
4 employee. In determining whether a gift is provided on the
5 basis of a personal friendship, a public official or public
6 employee must consider the following:

7 (i) The history of the public official's or public
8 employee's relationship with the individual, including
9 any previous exchange of gifts.

10 (ii) Whether, to the public official's, or public
11 employee's knowledge, the individual personally paid for
12 the gift or whether the individual sought a tax deduction
13 or business reimbursement for the cost of the gift.

14 (iii) Whether, to the public official's or public
15 employee's knowledge, the individual at the same time
16 gave the same or similar gifts to other public officials
17 or public employees.

18 (3) Informational materials that are sent to an office
19 of the public official or public employee in the form of
20 books, articles, periodicals, other written materials,
21 audiotapes, videotapes or other forms of communication.

22 (4) Awards or prizes that are given to competitors in
23 contests or events open to the public, including random
24 drawings.

25 (5) Honorary degrees and associated travel, food,
26 refreshments and entertainment provided in the presentation
27 of the degrees and awards.

28 (6) Training provided to a public official or public
29 employee if the training relates to the public official's or
30 public employee's position or employment. This shall include

1 food and refreshments furnished to all attendees as an
2 integral part of the training.

3 (7) Educational mission including meetings with
4 government officials, either foreign or domestic, intended to
5 educate public officials or public employees on matters of
6 public policy, to which the public official or public
7 employee may be invited to participate along with other
8 Federal, State or local public officials and community
9 leaders.

10 (8) Bequests, inheritances and other transfers at death.

11 (9) A plaque, trophy or other item that is substantially
12 commemorative in nature.

13 (10) Donations of products from a Pennsylvania company
14 that are intended primarily for promotional purposes, such as
15 display or free distribution, and are of minimal value to any
16 individual recipient.

17 (d) Definitions.--The following words and phrases when used
18 in this section shall have the meanings given to them in this
19 subsection:

20 "Relative." An individual related to the public official or
21 public employee as an immediate family member or any of the
22 following:

23 (1) half-brother or half-sister;

24 (2) grandfather or grandmother;

25 (3) spouse's grandfather or grandmother;

26 (4) grandson or granddaughter;

27 (5) uncle or aunt;

28 (6) niece or nephew;

29 (7) first cousin;

30 (8) great uncle or great aunt;

1 (9) mother-in-law or father-in-law;

2 (10) daughter-in-law or son-in-law;

3 (11) stepfather or stepmother;

4 (12) stepson or stepdaughter; or

5 (13) stepsister or stepbrother.

6 Section 2. This act shall take effect in 60 days.