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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 215 Session of  
2019

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INTRODUCED BY FARNESE, FOLMER, BREWSTER, SCHWANK, COSTA,  
DINNIMAN, BLAKE, YUDICHAK AND HAYWOOD, FEBRUARY 4, 2019

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REFERRED TO STATE GOVERNMENT, FEBRUARY 4, 2019

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AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated  
2 Statutes, in source selection and contract formation,  
3 providing for limitations on political contributions by  
4 contractors.

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

7 Section 1. Chapter 5 of Title 62 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER H

10 LIMITATIONS ON POLITICAL CONTRIBUTIONS BY CONTRACTORS

11 Sec.

12 571. Reporting of political contributions.

13 572. Political contribution limitations.

14 § 571. Reporting of political contributions.

15 (a) General rule.--A contractor bidding for a contract under  
16 sections 512.1 (relating to competitive electronic auction  
17 bidding), 513 (relating to competitive sealed proposals), 514  
18 (relating to small procurements), 515 (relating to sole source  
19 procurement), 516 (relating to emergency procurement), 517

1 (relating to multiple awards), 518 (relating to competitive  
2 selection procedures for certain services), 519 (relating to  
3 selection procedure for insurance and notary bonds), 520  
4 (relating to supplies manufactured and services performed by  
5 persons with disabilities) and 905 (relating to procurement of  
6 design professional services) shall be required to submit, on a  
7 form provided by the department, information on political  
8 contributions made to an elected official holding a State  
9 office, the contractor's political action committee or a  
10 political action committee that makes contributions to campaigns  
11 for State-elected offices. For purposes of this section, the  
12 officials shall include the Governor, Auditor General, Attorney  
13 General, State Treasurer, members of the judiciary and members  
14 of the General Assembly.

15 (b) Lobbyist registration.--In addition to the reporting  
16 requirements provided under subsection (a), the contractor shall  
17 provide a notarized, written declaration, on a form provided by  
18 the department, that any lobbyist that the contractor has hired  
19 to represent the contractor's interest is registered in  
20 accordance with 65 Pa.C.S. Ch. 13A (relating to lobbying  
21 disclosure).

22 (c) Public review.--Information submitted under this section  
23 shall be available for public review as provided under the act  
24 of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know  
25 Law.

26 § 572. Political contribution limitations.

27 (a) General rule.--A contractor bidding for a contract under  
28 section 512.1 (relating to competitive electronic auction  
29 bidding), 513 (relating to competitive sealed proposals), 514  
30 (relating to small procurements), 515 (relating to sole source

1 procurement), 516 (relating to emergency procurement), 517  
2 (relating to multiple awards), 518 (relating to competitive  
3 selection procedures for certain services), 519 (relating to  
4 selection procedure for insurance and notary bonds), 520  
5 (relating to supplies manufactured and services performed by  
6 persons with disabilities) or 905 (relating to procurement of  
7 design professional services) may not be awarded a contract  
8 under this section if any political contributions made and  
9 reported under section 571 (relating to reporting of political  
10 contributions) exceed the following limits:

11 (1) Contributions to a candidate - \$2,400 per election.

12 (2) Contributions to a business entity or political  
13 action committee supporting a candidate - \$5,000 per  
14 election.

15 (b) Limitation increase.--The limitations provided under  
16 subsection (a) shall be increased for inflation in each odd-  
17 numbered year, based upon the Consumer Price Index for All Urban  
18 Consumers. The department shall calculate the increases and  
19 transmit notice of the adjusted limitations to the Legislative  
20 Reference Bureau for publication in the Pennsylvania Bulletin.

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