

1 questionnaires that are intended solely for campaign use.

2 (3) Preparing a campaign finance report.

3 (4) Conducting background research on a candidate.

4 (5) Preparing or conducting a campaign poll.

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

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

9 (8) Preparing, distributing or mailing any campaign
10 literature, campaign signs or other campaign material,
11 including television and radio ads, website construction, e-
12 mails, facsimiles and robocalls, on behalf of any candidate
13 for elective office.

14 (9) Managing a campaign for elective office.

15 (10) Participating in, preparing, reviewing or filing
16 any documents in any recount, challenge or contest of any
17 election.

18 (11) Posting campaign-related information on a website,
19 including social media websites or other electronic media
20 websites.

21 "Campaign contribution." A monetary or in-kind contribution
22 made to an electoral candidate campaign.

23 "Candidate." As defined in section 1621 of the act of June
24 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election
25 Code.

26 "Cash gift."

27 (1) Any of the following:

28 (i) United States or foreign currency.

29 (ii) A money order.

30 (iii) A check.

1 (iv) A prepaid debit or credit card.

2 (v) A gift card or certificate.

3 (2) The term does not include:

4 (i) An expenditure or other transaction subject to
5 reporting under Article XVI the Pennsylvania Election
6 Code.

7 (ii) A commercial loan made in the ordinary course
8 of business.

9 (iii) A transaction involving reasonable
10 consideration of equal or greater value.

11 (iv) A cash gift from a parent, sibling, spouse,
12 child, stepchild, stepparent, stepsibling, grandparent,
13 grandchild, parent-in-law, sibling-in-law or other close
14 relative when the circumstances make it clear that the
15 motivation for the action was a personal or family
16 relationship.

17 (v) A cash gift available to the public or offered
18 to members of a group or class in which membership is not
19 related to being a Senator or Senate employee.

20 (vi) An award or prize given to competitors in any
21 contest or event open to the public, including random
22 drawings.

23 "Commercial loan made in the ordinary course of business." A
24 loan from a bank or other financial institution on terms
25 generally available to the public.

26 "De minimis." An economic consequence which has an
27 insignificant effect.

28 "Lobbyist." Any individual, firm, association, corporation,
29 partnership, business trust or other entity that is registered
30 as a lobbyist under 65 Pa.C.S. Ch. 13A (relating to lobbying

1 disclosure).

2 "Mass communication." The term includes, but is not limited
3 to, any of the following if paid for with Senate funds:

4 (1) A newsletter.

5 (2) A printed mailing of more than 50 pieces in which
6 the content of the matter is substantially identical.

7 (3) A paid social media post.

8 (4) A public service announcement via radio or
9 television broadcast that depicts the name, voice or image of
10 a Senator.

11 (5) An electronic communication, including a telephone
12 town hall or other type of telemarketing.

13 (6) A text message transmission to more than 50 phone
14 numbers per day in which the content of the matter is
15 substantially identical.

16 "Newsletter." A printed document more than one page in
17 length that addresses more than one subject and is printed in
18 quantities of 25,000 copies or more.

19 "Official action." An administrative action or legislative
20 action, as those terms are defined in 65 Pa.C.S. § 13A03
21 (relating to definitions).

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

26 "Own time." A Senate employee's time that is distinct from
27 Senate work time and includes all leave.

28 "Principal." Any individual, association, corporation,
29 partnership, business trust or other entity that is registered
30 as a principal under 65 Pa.C.S. Ch. 13A.

1 "Senate employee." A person employed by the Senate,
2 including the Chief Clerk and the Secretary of the Senate.

3 "Senate employee in a supervisory position." A Senate
4 employee who has a general supervisory role within: a caucus; an
5 individual Senator's office; or a Senate services office.

6 "Senate office." All Senate offices and Senate conference or
7 meeting rooms located in the Capitol complex or any similar
8 space contained within a district office.

9 "Senate resources." Senate-owned or Senate-leased equipment
10 including telephones, computer hardware or software, copiers,
11 scanners, fax machines, file cabinets or other office furniture,
12 cell phones, personal digital assistants or similar electronic
13 devices and office supplies.

14 "Senate work time." Publicly paid work time consisting in
15 the aggregate of 75 hours every two weeks for full-time
16 employees and a lesser amount of publicly paid hours every two
17 weeks for part-time employees.

18 "Senator." A person elected to serve in the Pennsylvania
19 Senate from each of the fifty Senatorial districts.

20 Rule 2. Practice.

21 (a) Work time.--No campaign activity may be conducted by a
22 Senate employee on Senate work time. The following shall apply:

23 (1) Senate employees are permitted to engage in campaign
24 activities on their own time, as volunteers or for pay.

25 (2) Senate employees may work irregular hours often
26 depending upon the time the Senate is in session. As a
27 result, a staffer's own time can occur during what may be
28 considered "normal" business hours.

29 (3) Sick leave, family and medical leave, work-related
30 disability leave, parental leave, short-term disability

1 leave, civil leave or military leave cannot be requested by a
2 Senate employee to perform campaign activities.

3 (4) No Senate employee may be allowed any amount of
4 Senate work time for time spent doing campaign activities.

5 (5) Senate employees, with the permission of their
6 employing Senator, may reduce their Senate hours with a
7 commensurate reduction in pay (and benefits, as required) to
8 perform campaign activities. These arrangements must be
9 memorialized in writing and filed with the Chief Clerk.

10 (6) Any Senate employee who has reduced his or her
11 Senate hours to perform campaign activities shall keep a
12 daily written log outlining Senate hours and related work
13 responsibilities.

14 (b) Office and resources.--No campaign activity may be
15 conducted by a Senator or a Senate employee in a Senate office
16 or with Senate resources.

17 (1) De minimis campaign activities may be unavoidable
18 for a Senator or Senate employee in the course of their
19 official duties. Examples include the following:

20 (i) In responding to inquiries from the public, a
21 Senator or a Senate employee may need to address
22 questions that relate to a Senator's or other candidate's
23 campaign for elective office or a related legislative
24 record.

25 (ii) Scheduling assistance and information from the
26 Senator or a Senate employee may be provided to ensure
27 that no conflict occurs among the Senator's campaign
28 schedule, official schedule and personal schedule.

29 (iii) Engaging in political conversation in the
30 natural course of personal communication.

1 (2) Unsolicited campaign-related communication on a
2 personally owned cell phone, personal digital assistant or
3 similar electronic device may occur on a de minimis basis in
4 a Senate office but may not interfere with Senate work time.

5 (3) A Senator's official Senate website, social media
6 website or other electronic media website shall not contain a
7 link to a campaign website for any candidate. A Senator's
8 campaign website shall not contain a link to his or her
9 official Senate website. A Senate employee who is on Senate
10 work time and using Senate resources may post legislative
11 materials, media advisories, news releases and announcements
12 on a social media website or other electronic media website,
13 which is not a campaign website for any candidate, even if
14 campaign-related information also exists on such a website. A
15 Senate employee who is on his or her own time and using
16 personal resources may post material involving or referring
17 to campaign activity on a social media website or other
18 electronic media website.

19 (c) Contributions.--The solicitation or receipt of campaign
20 contributions on Senate work time or with Senate resources is
21 prohibited.

22 (1) Solicitation or receipt of campaign contributions in
23 a Senate office or with Senate resources is prohibited at any
24 and all times.

25 (2) If an unsolicited contribution is sent to a Senate
26 office through the mail or in an unidentifiable form, the
27 employee who receives it shall turn it over to the campaign
28 within no more than seven days and immediately notify the
29 donor that campaign contributions should not be received at a
30 Senate office.

1 (3) No Senate employee may serve as an officer on a
2 campaign committee or a campaign finance committee on behalf
3 of any Senator, Senate candidate or Senate caucus.

4 (4) A Senate employee may help plan and may provide
5 assistance at a campaign event on his or her own time.

6 (d) Employees.--No Senate employee may be required to
7 perform any campaign activity or make any campaign contribution.

8 (1) No Senator, no Senate employee acting on the
9 Senator's behalf and no Senate employee in a supervisory
10 position may require a Senate employee to perform any
11 campaign activity on Senate work time or on the employee's
12 own time as a condition of employment.

13 (2) No Senator, no Senate employee acting on the
14 Senator's behalf and no Senate employee in a supervisory
15 position may require any Senate employee to make a campaign
16 contribution as a condition of employment.

17 (3) A Senate employee who agrees or offers to
18 participate in any campaign activity on his or her own time
19 or who makes a campaign contribution may not do so in
20 consideration of receiving any additional Senate compensation
21 or employee benefit in the form of a salary adjustment,
22 bonus, compensatory time off, continued employment or any
23 other similar benefit.

24 (4) A Senate employee who declines to participate in a
25 campaign activity or to make a campaign contribution shall
26 not be sanctioned for that refusal.

27 (e) Mass communications.--

28 (1) No Senate-funded mass communication shall be
29 distributed at the direction or on behalf of any Senate
30 member within 60 days of the primary or general election at

1 which any Senate member is a candidate for the office of
2 Senate or any other elective office.

3 (2) This subsection shall apply to a mass communication
4 printed or distributed by the Senate or by an outside vendor
5 paid for with public funds.

6 (3) The Chief Clerk of the Senate may not authorize the
7 reimbursement or payment of any money expended for print,
8 distribution or postage costs related to the distribution of
9 a mass communication incurred after the 60-day deadline.

10 (4) Senators who are candidates for the office of Senate
11 or any other elective office shall submit to the Secretary of
12 the Senate a final proof copy of a printed mass
13 communication, including, but not limited to, a newsletter or
14 printed mailing within the term of "mass communication" as
15 defined in Rule 1, no less than 90 days prior to the next
16 occurring primary or general election.

17 (5) Nothing in this subsection shall apply to a mass
18 communication:

19 (i) sent by a Senate member who does not have an
20 opponent in the next occurring primary or general
21 election at which the Senate member is a candidate for
22 the office of Senate or any other elective office;

23 (ii) in response to inquiries or affirmative
24 requests from persons to whom the matter is communicated;

25 (iii) that is sent to colleagues in the General
26 Assembly or other government officials;

27 (iv) that consists entirely of news releases to the
28 communications media;

29 (v) that relates to information in connection with a
30 declared emergency;

1 (vi) that relates to legal notices required by
2 Federal or State law;

3 (vii) that is an electronic newsletter to
4 constituents who are subscribed to receive the electronic
5 newsletter; or

6 (viii) that is a post on a Senate member's office
7 website or official social media page available to
8 voluntary followers, subject to the limitations specified
9 in this rule.

10 (f) Official Senate contact lists.--Official Senate contact
11 lists shall be used solely for legislative purposes.

12 (1) Official Senate contact lists shall not be provided
13 to any candidate, political party, political committee,
14 campaign or campaign committee or used for any campaign
15 purpose.

16 (2) Senate time and resources shall not be used to
17 create, store or maintain any list that identifies the listed
18 individuals as campaign volunteers or contributors to any
19 candidate, political party, political committee, campaign or
20 campaign committee.

21 (3) No list may be developed by a Senator or a Senate
22 employee using Senate time and resources for the purpose of
23 monitoring or tracking campaign activity or campaign
24 contributions of any Senate employee.

25 (4) Official Senate contact lists may be purchased at
26 fair market value from a private source with Senate funds if
27 the lists are used solely for legislative purposes. An
28 official Senate contact list that is so acquired may not be
29 used or redirected in the same or a modified form for
30 campaign purposes.

1 (g) Non-work-related tasks.--No Senate employee may be
2 required to perform any non-work-related task.

3 (1) No Senator, no Senate employee acting on the
4 Senator's behalf and no Senate employee in a supervisory
5 position may require a Senate employee to perform tasks
6 unrelated to the Senate employee's official duties as a
7 condition of employment.

8 (2) An employee who agrees or offers to perform a task
9 unrelated to that person's official duties on his or her own
10 time may not do so in consideration of receiving any
11 additional State Senate compensation or employee benefit in
12 the form of a salary adjustment, bonus, compensatory time
13 off, continued employment or any other public benefit.

14 (3) An employee who refuses to perform a task unrelated
15 to that person's official duties cannot be sanctioned for
16 that refusal.

17 (h) Cash gifts.--No Senator or Senate employee shall accept
18 or solicit a cash gift from any of the following:

19 (1) A lobbyist or principal.

20 (2) A person that is seeking official action from the
21 Senator or Senate employee.

22 Rule 3. Enforcement.

23 (a) Standardized process.--There shall be a standardized
24 process for reporting any alleged violation of these rules.

25 (1) A Senator or an employee who becomes aware of a
26 violation of these rules should report the violation to any
27 of the following:

28 (i) A Senator.

29 (ii) The President Pro Tempore, or an appropriate
30 designee.

1 (iii) The Majority Leader of the Senate, or an
2 appropriate designee.

3 (iv) The Minority Leader of the Senate, or an
4 appropriate designee.

5 (v) The employee's supervisor.

6 (vi) The Secretary of the Senate.

7 (2) A verbal report by an employee is acceptable but
8 must be followed up with a written statement that includes
9 the date, time and place, names of possible witnesses and the
10 nature of the ethical conduct violation. The written
11 statement must be signed by the employee.

12 (3) Upon receipt of the written statement pursuant to
13 paragraph (2), the person to whom the violation is reported
14 as provided in paragraph (1) shall forward a copy of the
15 written statement within five business days to the Secretary
16 of the Senate or the Chief Clerk if the alleged violation
17 involves the Secretary of the Senate or a person in the
18 Secretary of the Senate's Office.

19 (4) A report of a possible violation of these rules must
20 be filed within one year of the alleged conduct.

21 (b) Inquiry.--An inquiry and review of all properly
22 submitted reports regarding an alleged violation of these rules
23 shall be conducted.

24 (1) The Secretary of the Senate shall conduct a
25 preliminary inquiry of any written statement forwarded under
26 subsection (a)(3). The subject of the report shall be
27 notified within five business days by the Secretary of the
28 Senate that a written statement has been forwarded to the
29 Secretary's office under subsection (a)(3). The Secretary of
30 the Senate shall also notify the President Pro Tempore, the

1 Majority Leader and the Minority Leader within five business
2 days that a written statement has been forwarded to the
3 Secretary's office under subsection (a) (3). The Secretary of
4 the Senate shall have 14 business days from the date of those
5 notifications to complete a preliminary inquiry and determine
6 whether there is more than a de minimis violation of these
7 rules and whether there is a satisfactory basis for the
8 initiation of a formal investigation and shall report that
9 recommendation to the President Pro Tempore, the Majority
10 Leader and the Minority Leader. If the Secretary of the
11 Senate or a person in the Secretary of the Senate's office is
12 the subject of an alleged violation, the responsibilities
13 under this subsection shall be performed by the Chief Clerk
14 of the Senate.

15 (2) After receiving a recommendation from the Secretary
16 of the Senate under paragraph (1) that a formal investigation
17 is warranted, if the subject is a Senator, the President Pro
18 Tempore, the Majority Leader and the Minority Leader shall
19 proceed to refer the report to the Senate Committee on Ethics
20 for an investigation by that committee in accordance with
21 Rule 34 of the Rules of the Senate of Pennsylvania. The
22 provisions of Rule 34 of the Rules of the Senate of
23 Pennsylvania shall exclusively govern and apply in their
24 entirety to any further proceeding involving a Senator under
25 this rule.

26 (3) After receiving a recommendation from the Secretary
27 of the Senate under paragraph (1) that a formal investigation
28 is warranted, if the subject is a Senate employee, the
29 President Pro Tempore, the Majority Leader and the Minority
30 Leader shall proceed to obtain the services of an independent

1 third party to conduct a formal investigation. Upon
2 completion of the investigation, a report shall be prepared
3 containing findings of fact and a conclusion as to whether a
4 violation of these rules has occurred.

5 (4) After reviewing the findings of fact and the
6 conclusion contained in the report prepared pursuant to
7 paragraph (3) regarding a Senate employee, the President Pro
8 Tempore, the Majority Leader and the Minority Leader shall
9 issue a final determination by unanimous vote regarding all
10 of the following:

11 (i) Whether a violation of these rules by a Senate
12 employee has occurred.

13 (ii) Whether a sanction regarding that violation by
14 a Senate employee is warranted.

15 (iii) If a sanction is deemed warranted, the type of
16 sanction that should be imposed.

17 (iv) When and how the sanction should be imposed.

18 (5) During the course of an investigation of a Senate
19 employee by the independent third party designated pursuant
20 to paragraph (3), the subject shall have the opportunity to
21 be heard, to present evidence, to cross-examine witnesses and
22 to be represented by counsel.

23 (6) Prior to the issuance of a final determination under
24 paragraph (4), the subject shall have an opportunity to
25 submit a written presentation prepared by either the subject
26 or the subject's counsel.

27 (7) All proceedings under this rule shall be
28 confidential unless otherwise waived in writing by the
29 subject of the proceeding.

30 (8) If the President Pro Tempore, the Majority Leader or

1 the Minority Leader is the subject of a report, is a witness
2 or if for any reason is unavailable, the duties of the member
3 shall be performed by the Senate Whip of the respective
4 caucus.

5 (9) Retaliation against any Senate employee who files a
6 written statement in good faith under subsection (a)(3) or
7 who testifies in good faith regarding an alleged violation of
8 these rules is prohibited.

9 (c) Disciplinary action.--A violation of these rules may
10 subject a Senate employee to disciplinary action that, depending
11 on the circumstances of the violation, may include any of the
12 following:

13 (1) A warning.

14 (2) A written reprimand.

15 (3) A permanent disciplinary action noted in the
16 personnel record.

17 (4) Restitution for damages.

18 (5) Suspension of employment.

19 (6) Termination of employment.

20 (d) Sanction.--A violation of these rules may subject a
21 Senator to sanction by the full Senate and, depending on the
22 circumstances of the violation, may include any of the
23 following:

24 (1) A warning.

25 (2) A written reprimand.

26 (3) Restitution for damages.

27 (4) Any other sanction provided for under the Rules of
28 the Senate of Pennsylvania or the Constitution of
29 Pennsylvania.

30 Rule 4. Filing of financial interest statement.

1 (a) Compliance.--Compliance with the financial interest
2 statement requirements and all other requirements under the
3 Public Official and Employee Ethics Act, 65 Pa.C.S. Ch. 11
4 (relating to ethics standards and financial disclosure), shall
5 be mandatory for all Senators and Senate employees who meet the
6 criteria set forth in subsection (d) or (e).

7 (b) Time.--Financial interest statements covering the
8 previous calendar year must be filed by May 1 of each year for
9 every Senator and those Senate employees who make purchasing
10 decisions or other official decisions or provide input that can
11 influence a purchase or official decision.

12 (c) Location.--Senators, the Secretary of the Senate and the
13 Chief Clerk must file their financial interest statements with
14 the Secretary of the Senate, the Ethics Commission and any
15 governmental agency, authority, board or commission on which
16 they serve. Affected Senate employees must file their financial
17 interest statements with the Secretary of the Senate.

18 (d) Required filing for official nonministerial action.--
19 Filing a financial interest statement shall be required for
20 employees who are responsible for taking or recommending
21 official nonministerial action concerning any of the following:

22 (1) Contracting or procurement.

23 (2) Administering or monitoring grants or subsidies.

24 (3) Planning or zoning.

25 (4) Inspecting, licensing, regulating or auditing any
26 person.

27 (5) Any other activity where the official or recommended
28 official action has an economic impact of more than a de
29 minimis nature on the interests of any person. For most
30 employees on a Senator's staff or in a caucus office, this

1 category would be most applicable, since recommending
2 "official action" to a Senator as part of job
3 responsibilities triggers the duty to file a financial
4 interest statement. Official action would relate to a
5 Senator's lawmaking duties especially as that relates to
6 legislation and confirmations.

7 (e) Required filing for recommendations.--A financial
8 interest statement must be filed if a Senate employee's
9 responsibility includes making a recommendation to a Senator as
10 to any of the following:

11 (1) Advice regarding how to vote on the Floor or in
12 Committee.

13 (2) The potential consideration of bills, resolutions,
14 amendments to bills or resolutions or nominations in
15 Committee.

16 (3) The drafting and preparation of legislation or
17 resolutions, and any amendments to bills or resolutions,
18 including advice on decisions regarding bill or resolution
19 sponsorships.

20 (f) Applicability.--The requirement to file a financial
21 interest statement shall apply to executive directors, counsels
22 or any Senate employee responsible for a Committee and to Senate
23 chiefs of staff. Executive, administrative and legislative
24 assistants may be subject to the filing requirements depending
25 on the nature and scope of the individual's employment
26 responsibilities.

27 (g) Personal point of view.--A Senate employee who does
28 nothing more than occasionally share a personal point of view
29 with a Senator is not required to file a financial interest
30 statement. In most cases, a Senate employee with job

1 responsibilities not directly related to the actual lawmaking
2 process, such as correspondence or scheduling, does not need to
3 file a financial interest statement.

4 (h) District office.--A Senate employee assigned to a
5 district office shall be subject to the same filing requirements
6 as a Harrisburg-based Senate employee depending on the nature of
7 that individual's employment responsibilities.

8 Rule 5. Training.

9 To assure compliance with these rules and other laws related
10 to ethical behavior by Senators and Senate employees,
11 appropriate training measures shall be implemented by the
12 Senate. Training shall be provided annually for all Senators and
13 Senate employees on various topics, which shall include, but are
14 not limited to, all of the following:

15 (1) These rules.

16 (2) The Public Official and Employee Ethics Act, 65
17 Pa.C.S. Ch. 11 (relating to ethics standards and financial
18 disclosure).

19 (3) 65 Pa.C.S. Ch. 13A (relating to lobbying
20 disclosure).

21 Rule 6. Rules.

22 (a) Force and effect.--These Rules shall be in full force
23 and effect until altered, changed, amended or repealed as
24 provided in subsection (c).

25 (b) Voting for altering, changing or amending rules.--The
26 consent of a majority of the Senators elected shall be necessary
27 to alter, change or amend these Rules.

28 (c) Alteration, change or amendment of rules by
29 resolution.--All alterations, changes or amendments to Senate
30 Rules shall be by resolution which shall not be considered

1 unless first referred to and reported from the Rules Committee.