
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 408 Session of
2013

INTRODUCED BY DINNIMAN, TEPLITZ, FOLMER, WAUGH, FONTANA,
ERICKSON, STACK AND FARNESE, FEBRUARY 13, 2013

REFERRED TO STATE GOVERNMENT, FEBRUARY 13, 2013

AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania
2 Consolidated Statutes, in ethics standards and financial
3 disclosure, further providing for definitions and adding a
4 definition of "State-related institution and its affiliates."

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

7 Section 1. The definitions of "governmental body,"
8 "governmental body with which a public official or public
9 employee is or has been associated," "public employee" and
10 "public official" in section 1102 of Title 65 of the
11 Pennsylvania Consolidated Statutes is amended and the section is
12 amended by adding a definition to read:

13 § 1102. Definitions.

14 The following words and phrases when used in this chapter
15 shall have, unless the context clearly indicates otherwise, the
16 meanings given to them in this section:

17 * * *

18 "Governmental body." Any department, authority, commission,
19 committee, council, board, bureau, division, service, office,

1 officer, administration, legislative body or other establishment
2 in the executive, legislative or judicial branch of a state, a
3 nation or a political subdivision thereof or any agency
4 performing a governmental function or a State-related
5 institution and its affiliates.

6 "Governmental body with which a public official or public
7 employee is or has been associated." The governmental body
8 within State government, a State-related institution and its
9 affiliates or a political subdivision by which the public
10 official or employee is or has been employed or to which the
11 public official or employee is or has been appointed or elected
12 and subdivisions and offices within that governmental body.

13 * * *

14 "Public employee." Any individual employed by the
15 Commonwealth, a State-related institution and its affiliates or
16 a political subdivision who is responsible for taking or
17 recommending official action of a nonministerial nature with
18 regard to:

- 19 (1) contracting or procurement;
- 20 (2) administering or monitoring grants or subsidies;
- 21 (3) planning or zoning;
- 22 (4) inspecting, licensing, regulating or auditing any
23 person; or
- 24 (5) any other activity where the official action has an
25 economic impact of greater than a de minimis nature on the
26 interests of any person.

27 The term shall not include individuals who are employed by this
28 Commonwealth or any political subdivision thereof in teaching as
29 distinguished from administrative duties.

30 "Public official." Any person elected by the public or

1 elected or appointed by a governmental body or an appointed
2 official in the executive, legislative or judicial branch of
3 this Commonwealth, a State-related institution and its
4 affiliates or any political subdivision thereof, provided that
5 it shall not include members of advisory boards that have no
6 authority to expend public funds other than reimbursement for
7 personal expense or to otherwise exercise the power of the State
8 or any political subdivision thereof.

9 * * *

10 "State-related institution and its affiliates." Any of the
11 following institutions: Temple University, the University of
12 Pittsburgh, The Pennsylvania State University, including the
13 Pennsylvania College of Technology, and Lincoln University,
14 serving as instrumentalities of the Commonwealth within the
15 Commonwealth system of higher education, its graduate schools,
16 law schools, medical schools and their continental and
17 international branch campuses, as applicable. The term also
18 includes any associated hospital, medical center, institute,
19 facility, subsidiary or subordinate unit of any such
20 institutions.

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