

PENNSYLVANIA STATE ETHICS COMMISSION

THE ETHICS ACT

A Short Guide On How To Stay
Out of the Newspapers



**DO YOU TRUST YOUR
GOVERNMENT?**

CORE MISSION

The Pennsylvania State Ethics Commission's core mission and guiding principle is that public office is a public trust and that any effort to realize personal financial gain through one's public office is a violation of that trust.

THREE PRIMARY FUNCTIONS



INVESTIGATIONS



ADVICES AND OPINIONS



STATEMENTS OF
FINANCIAL INTERESTS

Restricted Activities



STATE ETHICS COMMISSION

JURISDICTION

➤ PUBLIC OFFICIALS

Any person elected by the public or elected or appointed by a governmental body or an appointed official in the executive, legislative or judicial branch of this Commonwealth or any political subdivision thereof.

➤ PUBLIC EMPLOYEES

Any individual employed by the Commonwealth or a political subdivision who is responsible for taking or recommending official action of a nonministerial nature with regard to:

- contracting or procurement;
 - administering or monitoring grants or subsidies;
 - planning or zoning
 - inspecting, licensing, regulating or auditing any person; or
 - any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person.
-

**If we could all learn what a
conflict of interest is**



THAT WOULD BE GREAT

Conflict of Interest: 1103(a)

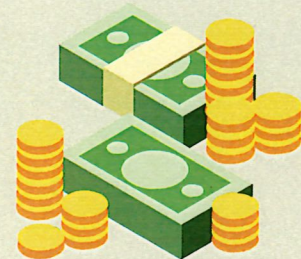
No public official or public employee shall engage in conduct that constitutes a conflict of interest.

**Use of
Authority of
Office or
Confidential
Information**

**For the
private
pecuniary
benefit of**

**Themselves,
a member of
their
immediate
family, or a
business
with which
they are
associated.**

Profit?



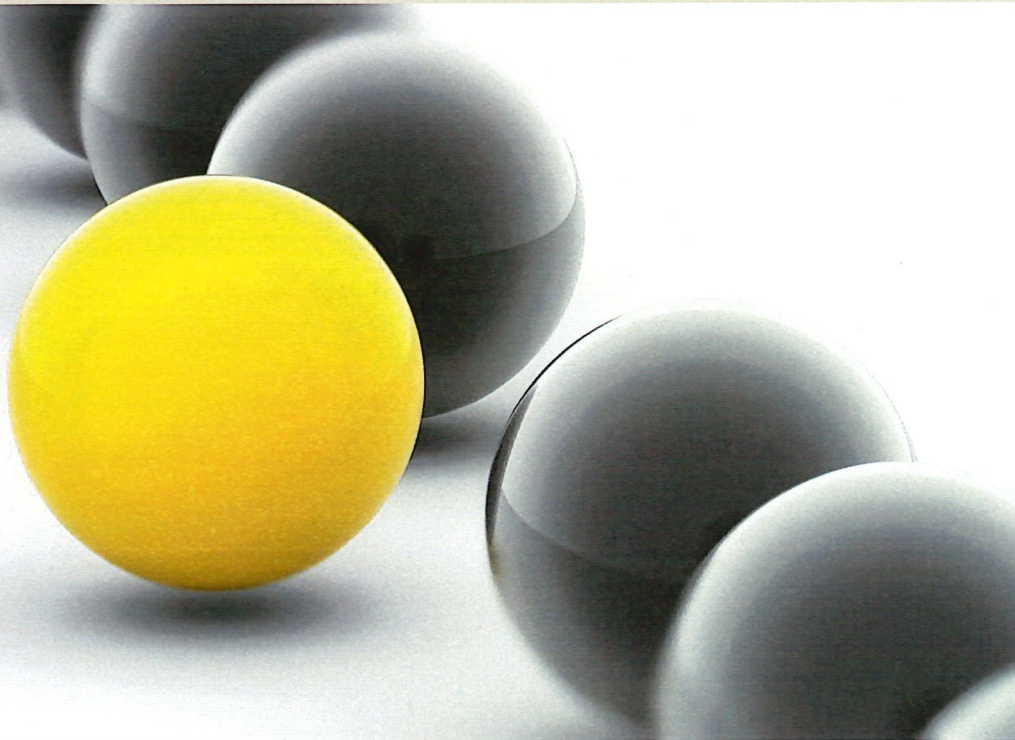


Exceptions

**Actions having a de minimis
economic impact**

**Affects to the same degree a
class consisting of the general
public**

**Subclass consisting of an
industry, occupation, or other
group**



Nepotism

When can a
family
member work
at the same
governmental
entity?



USE OF GOVERNMENT ASSETS



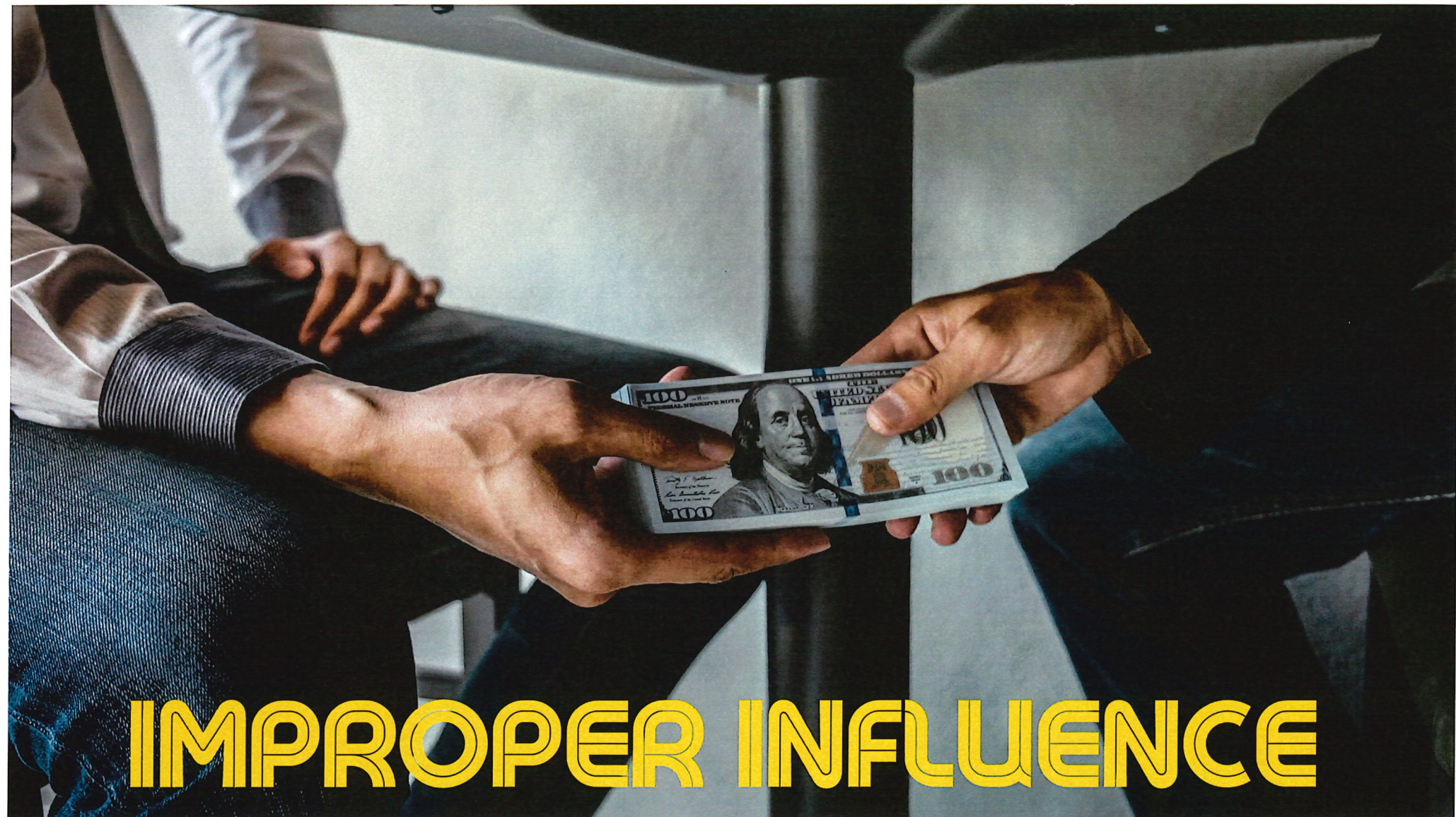
If you have a conflict:



AND publicly announce and disclose nature of your interest in a written memo with the person recording the meeting minutes.



**GIFTS, TRAVEL, LODGING,
HOSPITALITY**



IMPROPER INFLUENCE

Honorarium - 1103(d)

ARE PROHIBITED

Payment made in
recognition of public
works/appearances

Not intended as
compensation

Nonpublic
Occupational or
Professional in
Nature

Revolving Door: 1103(g)

No former public official or public employee shall

Represent a
"person"

For promised or
actual
compensation

Before their
former
governmental
body

For one
year after
leaving.

Advices and Opinions



WHAT IS AN ADVICE?



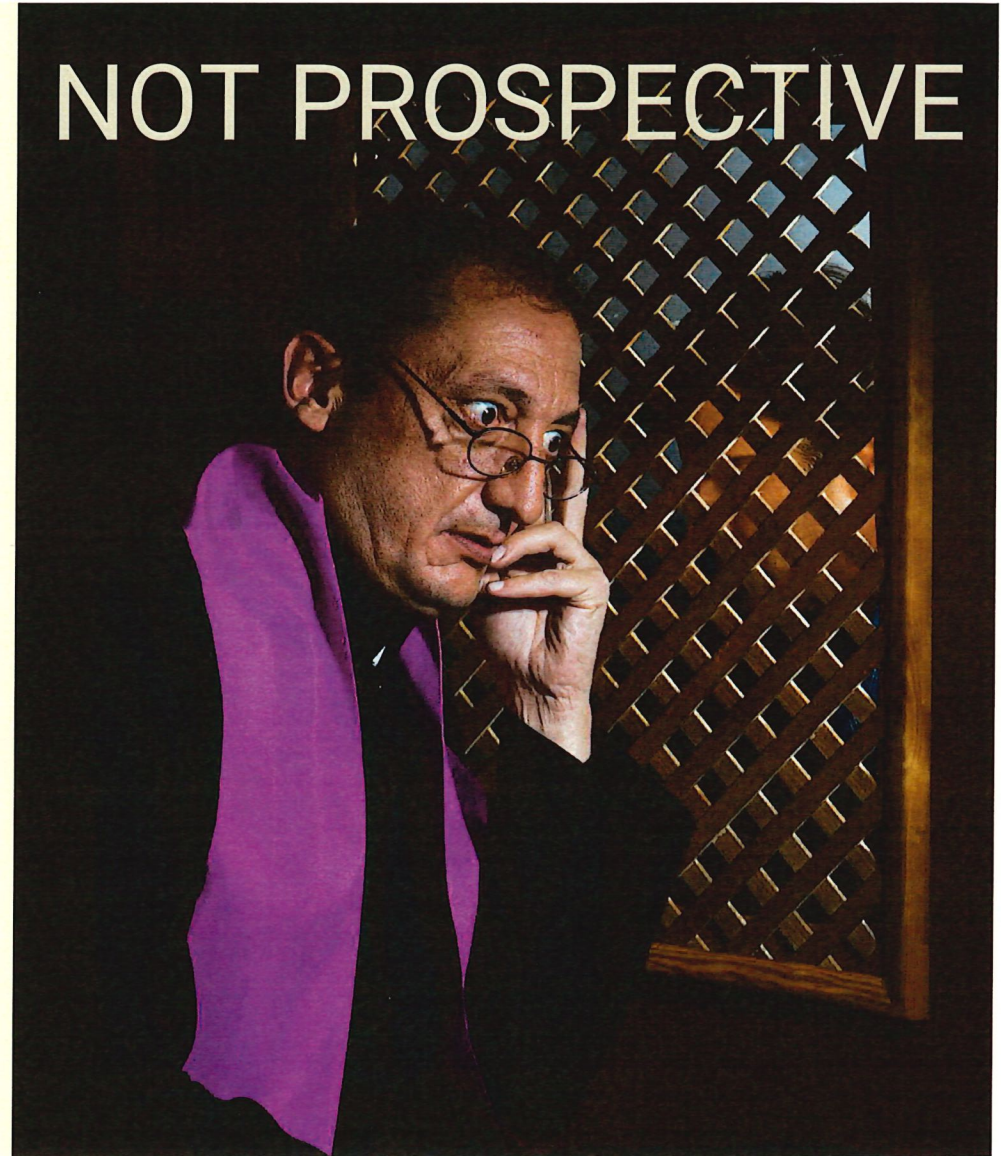
The Commission provides advice
and guidance regarding the
duties of those who are subject
to the Ethics Act

Such advice and guidance is in
the form of Advices of Counsel
and Opinions of the Commission

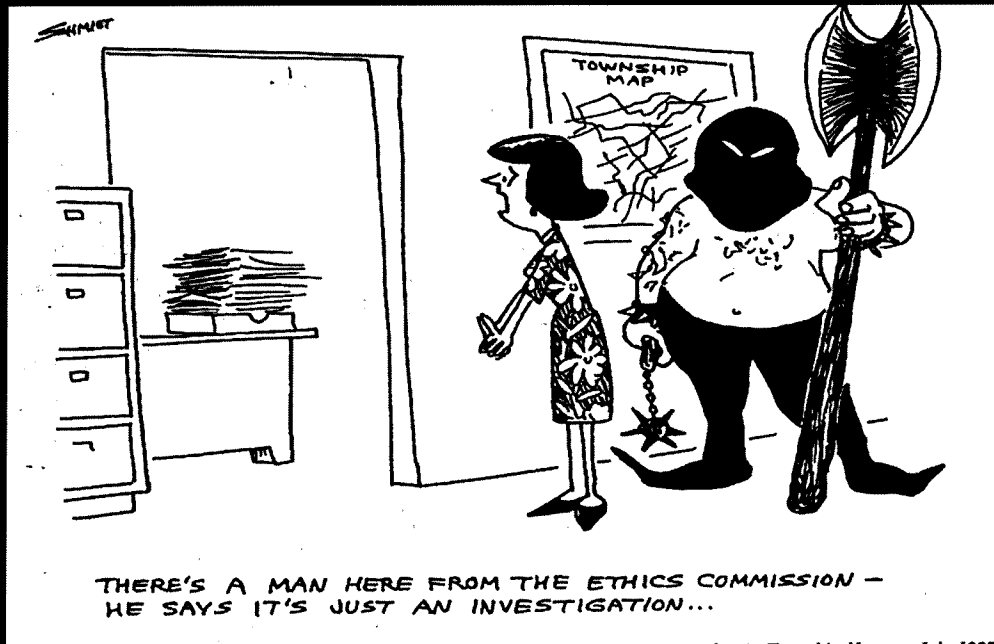
PROSPECTIVE



NOT PROSPECTIVE



Investigations



Proceedings and records
relating to an investigation
are confidential

Identity of a complainant is
confidential

Final Order is a public
record

PENALTIES

➤ ADMINISTRATIVE

Public Order
Restitution
Treble penalties

➤ CRIMINAL

Misdemeanor/Felony
Up to \$10K fine
Up to 5 years prison

➤ SFI

Up to \$250 per form



COMMONWEALTH OF PENNSYLVANIA
STATE ETHICS COMMISSION

Finance Building
613 North Street, Room 309
Harrisburg, PA 17120-0400
(717) 783-1610 or Toll Free 1-800-932-0936
www.ethics.pa.gov
ra-ethicswebmaster@pa.gov
Fax: (717) 787-0806



STATEMENT OF FINANCIAL INTERESTS

THIS FORM IS CONSIDERED DEFICIENT IF ANY BLOCK IS NOT COMPLETED OR IF SIGNATURE OR DATE IS MISSING.

THOSE INDIVIDUALS WHO HOLD MORE THAN ONE OFFICE AND/OR POSITION MUST FILE A COPY OF THEIR FORM AT EACH FILING LOCATION.

YOU MAY FILE ONLINE AT: WWW.ETHICS.PA.GOV. A PAPER COPY MAY STILL BE REQUIRED TO BE SUBMITTED TO YOUR FILING LOCATION. FILERS SHOULD CHECK WITH THEIR FILING LOCATION FOR REQUIREMENTS.

THIS FORM MUST BE COMPLETED AND FILED BY:

- A Candidates - Persons seeking elected state, county and local public offices, including first-time candidates, incumbents seeking re-election, and write-in candidates who do not decline nomination/election within 30 days of official certification of same.
- B Nominees - Persons nominated for public office subject to confirmation.
- C Public Officials - Persons serving as current state/county/local public officials (elected or appointed). The term includes persons serving as alternates/designees. The term excludes members of purely advisory boards.
- D Public Employees - Individuals employed by the Commonwealth or a political subdivision who are responsible for taking or recommending official action of a non-ministerial nature with regard to: contracting or procurement; administering or monitoring grants or subsidies; planning or zoning; inspecting, licensing, regulating or auditing any person; or any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person. The term does not include individuals whose activities are limited to teaching.
- A former public official or former public employee must file the year after termination of service with the Commonwealth or political subdivision.
- E Solicitors - Persons elected or appointed to the office of solicitor for political subdivision(s).

IMPORTANT: Please read all instructions carefully prior to completion of form. Also, review the filing chart for proper filing location. Any questions may be directed to the State Ethics Commission at (717) 783-1610 or Toll Free at 1-800-932-0936.

The Form is required to be filed pursuant to the provisions of the Public Official and Employee Ethics Act "Ethics Act," 65 Pa.C.S. § 1101 et. seq.

STATEMENT OF FINANCIAL INTERESTS INSTRUCTIONS

Please print neatly in capital letters. If you require more space than has been provided, please attach an 8 1/2" x 11" piece of paper to the form. Blocks 01 through 06 are for current information.

Block 01 Enter your last name, first name, middle initial and suffix (if applicable) in the spaces provided. Public office candidates should use the exact name used on official nomination petition or papers.

Block 02 List an office (business or governmental) or home address and daytime telephone number.

Block 03 Check the box or boxes to indicate your status. See definitions on front page. If you are correcting a prior filing, please check the box designating an amended form.

Block 04 Check the appropriate box (seeking, hold, held) for each position you list in the blocks below. List all public position(s) which you are seeking, currently hold, or have held in the prior calendar year. Please be sure to include job titles and official titles such as "member" or "commissioner" (even if serving as an alternate/designee).

Block 05 List all Commonwealth agency(ies) or political subdivision(s) as to which you: (1) are presently seeking a public position or public office as a candidate (incumbent or non-incumbent) or nominee; (2) presently hold public office(s) or public employment; and/or (3) previously held a public office(s) or public employment during all or any portion of the calendar year listed in Block 07. (The term "political subdivision" includes a county, city, borough, incorporated town, township, school district, vocational school, county institution, district, and any authority, entity or body organized by the aforementioned).

Block 06 List your current occupation or profession. This information may be the same as stated in Block 04.

Block 07 List the calendar year for which you are filing this form. Like tax returns, the form discloses financial information for a prior calendar year. For example, for the form due May 1, 2024, Block 07 would read "2023." The information in blocks 08 through 15 should represent financial interests for the calendar year listed in Block 7.

Block 08 **REAL ESTATE INTERESTS.** List the address of any property which was involved in transactions (leasing, purchasing, or condemnation proceedings of real estate interests) with the Commonwealth or any other governmental body within the Commonwealth. If you have no direct or indirect interests in such a property, then check "NONE."

Block 09 **CREDITORS.** List the name and address of any creditor and the interest rate of any debt over \$6,500 regardless of whether such debt is held solely by you or jointly by you and any other individual, including your spouse, where each obligor is fully responsible for the obligation. A joint obligation with other persons for which the filer is responsible only for a proportional share that is less than the reporting threshold, is not required to be reported. Do not report a mortgage or equity loan on your home (or secondary home) or home or credit business, you and your spouse, child, parent or sibling. Car loans, credit cards, personal loans and lines of credit must be listed on the form if the balance owed was in excess of \$6,500 at any time during the calendar year. If you do not have any reportable creditor, then check "NONE."

Block 10 **DIRECT OR INDIRECT SOURCES OF INCOME.** List the name and address of each source of \$1,300 or more of gross income -- including but not limited to gross income from the public position -- regardless of whether such income is received solely by you or jointly by you and another individual, such as a spouse. "Income" includes any money or thing of value received or to be received as a claim on future services or in recognition of services rendered in the past, whether in the form of a payment, fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain, reward, severance payment, proceeds from the sale of a financial interest in a corporation, professional corporation, partnership or other entity resulting from termination/withdrawal therefrom upon assumption of public office or employment or any other form of recompense or combination thereof. The term refers to gross income and includes prize winnings and tax-exempt income but does not include gifts, governmentally-mandated payments or benefits, retirement, pension or annuity payments funded totally by contributions of the public official or employee, or miscellaneous incidental income of minor dependent children. Filers are not required to list income amounts. If you do not have ANY reportable source of income, then check "NONE."

Block 11 **GIFTS.** For each source of gift(s) valued at \$250 or more in the aggregate, list the following information: the name and address of the source, the circumstances, including a description of each gift, and the value of the gift(s). Do not report political contributions otherwise reportable as required by law, gift(s) from friends or family members (the term "friend" does not include a registered lobbyist or employee of a registered lobbyist), or any commercially-reasonable loan made in the ordinary course of business. The Commission has held that a person cannot be deemed a "friend" if that person and/or a business with which that person is associated is regulated by or has contracts with the public official's governmental body. If you did not receive any reportable gift, then check "NONE."

Block 12 **TRANSPORTATION, LODGING OR HOSPITALITY EXPENSES.** List the name and address of each source and the amount of each payment/reimbursement by the source for transportation, lodging or hospitality that you received in connection with your public position if the aggregate amount of such payments/reimbursements by the source exceeds \$650 for the calendar year for which you are reporting. Do not report reimbursements made by a governmental body or by an organization/association of public officials/employees of political subdivisions that you serve in an official capacity. If you do not have any reportable expense payments/reimbursements, then check "NONE."

Block 13 **OFFICE, DIRECTORSHIP OR EMPLOYMENT IN ANY BUSINESS ENTITY.** List the name and address of the business entity for any office that you hold (Example: President, Vice President, Secretary, Treasurer), any directorship that you hold (through service on a governing board such as a board of directors), and any employment that you have in any capacity whatsoever as to any business entity. This block focuses solely on your status as an officer, director or employee, regardless of income. If you do not have any office, directorship or employment in any business entity to report, then check "NONE."

Block 14 **FINANCIAL INTERESTS.** List the name and address and interest held in any business for profit of which you own more than 5% of the equity or more than 5% of the assets of economic interest in indebtedness. If you do not have any such financial interest to report, then check "NONE."

Block 15 **TRANSFERRED BUSINESS INTERESTS.** List the name and address of any business in which you transferred a financial interest (as defined in Block 14 above) to a member of your immediate family (parent, spouse, child, brother or sister), as well as the interest held, relationship to the individual, and date of transfer. If you did not transfer any such business interest, then check "NONE."

Signature Sign the form and enter the current date. Back dating the form is a violation of law and could result in the initiation of civil, administrative and/or criminal penalties.

*Please note the Commission has long held that the receipt of things of value, such as gifts, transportation, lodging and hospitality from vendors, those regulated, and others, may form the basis for a conflict of interest under Section 1103(a) of the Ethics Act.

1

WHO MUST FILE, WHERE TO FILE, AND WHEN TO FILE

WHO MUST FILE	ORIGINAL COPY	ADDITIONAL FILINGS*	WHEN TO FILE
A. STATUS BLOCK A - CANDIDATES Statewide State Senate State House Supreme Court Superior Court Common Pleas Court Traffic Court Municipal Court Commonwealth Court Constables / Deputy Constables Countywide City Borough Township Municipality (home rule charter) Magisterial District Judges School Director	State Ethics Commission State Ethics Commission File with the Clerk/Secretary in the Municipality in which you are a candidate File with the County in which the Magisterial District is located File in the School District where you are a candidate	Append to nomination packet when filed with the State Bureau of Elections 210 North Office Building Harrisburg, PA 17120-0029 Append to nomination packet when filed with County Board of Elections	ON OR BEFORE THE LAST DAY FOR FILING A PETITION TO APPEAR ON THE BALLOT FOR ELECTION
Announced Written Unannounced Written Winners of Nominations Unannounced Written Winners of Elections	For state office file with State Ethics Commission For county or local office file with governing authority of political subdivision	No additional copy required	
B. STATUS BLOCK B - NOMINEE State Level County/Local Level	State Ethics Commission Governing authority of political subdivision	File with the Official or Body vested with the power of confirmation	
C. STATUS BLOCK C - PUBLIC OFFICIAL Commonwealth Public Officials such as: Members of Boards and Commissions (including alternate/designees), heads of executive, legislative and independent agencies, boards and commissions, and persons appointed to positions designated as offices State House Member State Senate Member Local Public Officials serving in/as: Councils, Boroughs, Townships Home Rule Municipalities, Municipal Authorities School Districts Incumbent Judges and Magisterial District Judges who are not candidates file a Statement of Financial Interests for Judicial Officers with the Administrative Office of Pennsylvania Courts (AOPC)	State Ethics Commission State Ethics Commission File only with the governing authority of the respective local political subdivision	File with <u>each</u> Agency, Board, Commission, Department or Government Body in which employed or to which appointed (make additional copies if needed) File with the House Clerk or Senate Secretary (whichever applies) Additional copy is not required to be filed (unless serving in multiple capacities, then file with <u>each</u> entity as required)	
D. STATUS BLOCK D - PUBLIC EMPLOYEE Commonwealth PUBLIC EMPLOYEE (Executive, Leg. & Independent Agencies) County City Borough Township Municipality (home rule) Municipal Authority School District	State Ethics Commission File only with your Employer } EMPLOYEE File only with your political subdivision	No additional copy required	
E. STATUS BLOCK E - SOLICITOR	File with the governing authority of <u>each</u> political subdivision for which you are Solicitor	Additional copy is not required to be filed (unless serving in multiple capacities, then file with <u>each</u> entity as required)	FILE NO LATER THAN MAY 1 OF EACH YEAR A POSITION IS HELD AND OF THE YEAR AFTER LEAVING SUCH A POSITION

* FILER IS RESPONSIBLE FOR MAKING ANY ADDITIONAL COPIES.



Questions?

Pennsylvania State Ethics Commission

www.ethics.pa.gov

717-783-1610