

## INSTRUCTIONS

1. Complete all sections of the Complaint Form. Incomplete forms will not be processed.
2. Give the specific name and address of the lobbyist, principal or lobbying firm about whom you are complaining. If you are complaining about more than one subject, use a separate Complaint Form for each. You may photocopy or otherwise reproduce this form as needed.
3. Provide a detailed account of the activity that is alleged to be in violation of the Lobbying Disclosure Law, 65 Pa.C.S. § 13A01, et seq. Please note that the Commission's jurisdiction extends solely to alleged violations of 65 Pa.C.S. § 13A04 Registration; 65 Pa.C.S. § 13A05 Reporting; and 65 Pa.C.S. § 13A07 Prohibited Activities sections.
4. Do not use this form for complaints concerning a lobbyist who is also an attorney violations pertaining to a violation of 65 Pa.C.S. § 13A07(d) Conflicts of Interest. Such lobbyist-attorney violations of 65 Pa.C.S. § 13A07(d) Conflicts of Interest should be reported to the Disciplinary Board of the Supreme Court of Pennsylvania.
5. If you are unsure as to whether the Commission has jurisdiction over the conduct or subject in question, visit the Commission website for information about the Lobbyist Disclosure Law or contact the State Ethics Commission.
6. Enclose records, documents, or other items that support your allegations.
7. The form must be signed and notarized. If completing the form online, it must be printed, signed and notarized.
8. The Commission may only investigate activities within five (5) years after the occurrence of the alleged violation of the Ethics Act, but not any activities that occurred prior to January 1, 2007.

## IMPORTANT

**Any individual filing a complaint with the State Ethics Commission should be aware of the following provisions of the Ethics Act, which are also applicable to complaints filed pursuant to the Lobbying Disclosure Law.**

### **Prohibited Retaliation**

No public official or public employee shall discharge any official or employee or change official rank, grade or compensation, or deny a promotion or threaten to do so for filing a complaint with or providing information to the Commission or testifying in any Commission proceeding.

### **Confidentiality**

The Commission will keep information, records, and proceedings relating to preliminary inquiries and investigations confidential (this includes the identity of the Complainant, unless there has been a Wrongful Use of the Act as defined below).

The Commission may disclose information or records regarding a preliminary inquiry or investigation in relation to:

- Final orders of the Commission which become public.
- Hearings conducted in public, as provided by law.
- Appeal of Commission orders.
- Seeking the advice of legal counsel.
- Consulting with a law enforcement official or agency for the purpose of initiating, participating in or responding to an investigation or prosecution by the law enforcement official or agency.
- Testifying under oath before a governmental body or a similar body of the United States of America.
- The provision of discovery materials to the subject of an investigation, as required by law.
- When necessary or incidental to the conduct of on-going investigations or inquiries.

### **Penalties**

Any person who engages in retaliatory activity proscribed by Section 1108(j), commits a misdemeanor and in addition to any other penalty provided by law, shall be fined not more than \$1,000 or imprisoned for not more than one (1) year or be both fined and imprisoned. Any person who willfully affirms or swears falsely in regard to any material matter before a Commission proceeding pursuant to Section 1108 commits a felony and, upon conviction, shall be fined no more than \$5,000 or imprisoned for not more than five (5) years, or be both fined and imprisoned.

### **Wrongful Use of the Act**

Wrongful Use of the Act is established by one or more of the following elements:

- (1) The filing of a frivolous complaint which is a complaint filed in a grossly negligent manner without basis in law or fact.
- (2) The filing of a complaint without probable cause, primarily for a purpose other than reporting a violation of the Ethics Act.
- (3) Disclosing publicly or causing to be publicly disclosed the fact that an individual is the subject of a complaint or Commission investigation.\*

\*See, *Stilp v. Contino*, 743 F. Supp. 2d 460 (M.D. Pa. 2010) (permanently enjoining the enforcement of Section 1108(k) of the Public Official and Employee Ethics Act, 65 Pa.C.S. § 1108(k)--pertaining to confidentiality of Commission investigative matters--against a complainant who discloses the fact that he or she filed a complaint with the Commission).



**FOR OFFICIAL USE ONLY**

**LOBBYING  
COMPLAINT**

Mail completed form to:

**State Ethics Commission  
Finance Building  
613 North Street, Room 309  
Harrisburg, PA 17120-0400**

**(717) 783-1610  
1-800-932-0936  
www.ethics.pa.gov**

**INSTRUCTIONS – Please see reverse side of this form.**

1. Identify the subject of the complaint (check only one):      Lobbyist      Principal      Lobbying Firm

Subject Name:

Registration Number (if known):

Address:

Primary Phone Number:

Alternate Phone Number:

2. Explain in detail why you believe the subject named above may have violated either Sections 13A04, 13A05 or 13A07 of the Lobbying Disclosure Law. Attach an extra sheet of paper if necessary.

3. Attach or make reference to any records, documents or other materials/evidence which support your allegations.

4. Sworn to and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:

I swear or affirm, under penalty of perjury, that the facts set forth in this complaint are true and correct to the best of my knowledge and belief. I also swear and affirm that I have read and understand the prohibited retaliation, confidentiality, penalties, and Wrongful Use of the Act provisions on the reverse side of this form.

\_\_\_\_\_  
Signature

Print/Type your name:

Address:

Phone Number:

Alternate Phone Number:

Email Address: