

**Subpart F. COMMONWEALTH BUILDINGS**

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**CHAPTER 85. EXERCISE OF FIRST AMENDMENT  
RIGHTS ON COMMONWEALTH PROPERTY**

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**Authority**

The provisions of this Chapter 85 issued under sections 2402(b) and 2416 of The Administrative Code of 1929 (71 P. S. §§ 632(b) and 646), unless otherwise noted.

**Source**

The provisions of this Chapter 85 adopted July 8, 1977, 7 Pa.B. 1886, unless otherwise noted.

**Cross References**

This chapter cited in 4 Pa. Code § 86.1 (relating to introduction); and 4 Pa. Code § 86.3 (relating to policy governing the public areas of the Capitol Complex).

**§ 85.1. Preamble.**

It is the policy of the Commonwealth to protect and assist citizens in the exercise of their First Amendment rights. All citizens are encouraged to express themselves on issues of importance. The rights of citizens to demonstrate in a peaceful and lawful manner in and around public buildings and grounds owned by the Commonwealth will not be abridged. However, it is recognized that the time, place, and manner, although not the content, of demonstrations may be regulated consistent with other uses of the same facilities.

**§ 85.2. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Bureau*—The Bureau of Police and Safety of the Department.

*Commonwealth property*—The State Capitol Building and grounds, State buildings and grounds in Dauphin County, the Pittsburgh State Office Building and grounds, the Philadelphia State Office Building and grounds, and the Scranton State Office Building and grounds.

*Demonstration*—A display of group or personal feelings or opinion by a gathering of at least 20 people for the purpose of public expression.

*Department*—The Department of General Services of the Commonwealth.

*Director*—The Director of the Bureau.

*Spontaneous demonstration*—A demonstration on an issue of immediate public importance the delay of which will result in governmental action or inaction without the benefit of public expression.

**§ 85.3. Purpose.**

This chapter enables citizens of this Commonwealth to petition their government and to facilitate the handling of demonstrations by the Department.

**§ 85.4. Scope.**

This chapter applies to persons and organizations demonstrating on Commonwealth property.

**§ 85.5. Responsibilities.**

The Director will establish a demonstration control facility in Room 45 East Wing of the Main Capitol Building. Additional facilities will be established, as needed, at other Commonwealth properties. The facility will provide overall direction, control and coordination of Commonwealth involvement with demonstration activities. The Director will establish liaison with the demonstrators and other appropriate governmental agencies, including the Governor's Civil Tension Task Force.

**§ 85.6. Notice of demonstration.**

(a) To assist citizens wishing to demonstrate on Commonwealth property, it is important that the Department be advised by any group which intends to demonstrate. By notifying the Department as to the time, place, mode of travel and anticipated numbers, the Department will be able to assist the demonstrators in arranging traffic control and parking, pick-up and delivery points, and first-aid requirements and to coordinate with local officials the securing of parade routes.

(b) Whenever possible, notice of demonstration should be delivered to the Department at least 5 days in advance of the proposed demonstration. This notice

should be in writing on the letterhead of the organizing group. If no letterhead is available, any other writing shall be sufficient. This notice shall be signed by two representatives of the organization and mailed to the Director, Bureau of Police and Safety, 502 North Office Building, Harrisburg, Pennsylvania, regardless of where the intended demonstration is to take place.

**§ 85.7. Content of notice.**

The notice of demonstration should contain substantially the following criteria, if applicable:

- (1) Date of demonstration.
- (2) Beginning and ending times of demonstration.
- (3) Identification of demonstration leaders specifying telephone numbers for contact.
- (4) Number of persons expected to participate.
- (5) Method of transportation, number and type of vehicles used to transport demonstrators.
- (6) Assembly area for demonstrators.
- (7) Route of march.
- (8) Whether or not sound amplification is to be used, including description thereof, and if the group desires the equipment to be provided free of charge by the Department.
- (9) Whether the group intends to visit legislators in their offices. If so, how many and which legislators are intended to be visited.

**Cross References**

This section cited in 4 Pa. Code § 85.8 (relating to spontaneous demonstration).

**§ 85.8. Spontaneous demonstration.**

This chapter does not impose a bar to spontaneous demonstrations. If a group or organization cannot give the Department 5 days notice of demonstration, a telephone call to the Department, at (717) 783-5028, Deputy Secretary for Central Services, or (717) 787-9013, Director, Bureau of Police and Safety, during normal working hours, at least 18 hours in advance of a spontaneous demonstration, is advisable. The individual calling on behalf of the group should be able to supply all the information required in § 85.7 (relating to content of notice).

**§ 85.9. Construction.**

Nothing in this chapter may be construed to serve as a bar to an individual or group in exercising their First Amendment rights in a peaceful and lawful manner.

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