

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2143 Session of
1978

INTRODUCED BY FISHER, RHODES, GOEBEL, POTT AND SWEET,
MARCH 15, 1978

REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE, MARCH 15, 1978

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," imposing certain limitation
21 on the purchase of foreign manufactured products by
22 Commonwealth agencies.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
26 as "The Administrative Code of 1929," is amended by adding a
27 section to read:

28 Section 523.1. Limitations on the Purchase of Foreign

1 Manufactured Products.-- It shall be unlawful for any
2 Commonwealth department, board, bureau, commission, agency,
3 independent board or commission, or any other authority or
4 instrumentality of the Commonwealth to contract for or otherwise
5 purchase manufactured products produced outside the United
6 States where comparable manufactured products produced in the
7 United States are available. Every bid proposal circulated by
8 Commonwealth agencies for the purchase of a manufactured product
9 shall require that the bidder indicate on the bid form under
10 oath whether any of the manufactured products such bidder offers
11 for sale under the proposed agreement are manufactured outside
12 the United States. Before any foreign manufactured product is
13 contracted for or purchased, the purchasing agency shall request
14 the Department of General Services to determine whether or not a
15 comparable product is available from domestic sources. The
16 department shall make such determination within sixty (60) days
17 of the request. If the department determines that a comparable
18 domestic product is available, the purchasing agency of the
19 Commonwealth shall not enter into any agreement to purchase the
20 foreign manufactured products, irrespective of whether such
21 foreign product would otherwise be acceptable on the basis of
22 normal bidding procedures. If the department determines that a
23 particular product has foreign manufactured components, but that
24 such components do not make up a substantial portion of the
25 product, the prohibition imposed by this section shall not
26 apply. The Department of General Services shall establish by
27 regulation procedures for the submission of product
28 specifications for its review. Any contract or agreement entered
29 into in violation of this section shall be void and
30 unenforceable by the seller.

1 Section 2. This act shall take effect in 90 days.