

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 66

Session of
1981

INTRODUCED BY J. L. WRIGHT, SEVENTY AND BURNS, JANUARY 19, 1981

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 19, 1981

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:

1 Section 523.1. Limitations on the Purchase of Foreign
2 Manufactured Products.--Except as to construction contracts, it
3 shall be unlawful for any Commonwealth department, board,
4 bureau, commission, agency, independent board or commission, or
5 any other authority or instrumentality of the Commonwealth to
6 contract for or otherwise purchase manufactured products
7 produced outside the United States where comparable manufactured
8 products produced in the United States are available. Every bid
9 proposal circulated by Commonwealth agencies for the purchase of
10 a manufactured product shall require that the bidder indicate on
11 the bid form under oath whether any of the manufactured products
12 such bidder offers for sale under the proposed agreement are
13 manufactured outside the United States. Before any foreign
14 manufactured product is contracted for or purchased, the
15 purchasing agency shall request the Department of General
16 Services to determine whether or not a comparable product is
17 available from domestic sources. The department shall make such
18 determination within sixty (60) days of the request. If the
19 department determines that a comparable domestic product is
20 available, the purchasing agency of the Commonwealth shall not
21 enter into any agreement to purchase the foreign manufactured
22 products, irrespective of whether such foreign product would
23 otherwise be acceptable on the basis of normal bidding
24 procedures. If the department determines that a particular
25 product has foreign manufactured components, but that such
26 components do not make up a substantial portion of the product,
27 the prohibition imposed by this section shall not apply. The
28 Department of General Services shall establish by regulation
29 procedures for the submission of product specifications for its
30 review. Any contract or agreement entered into in violation of

1 this section shall be void and unenforceable by the seller.

2 Section 2. This act shall take effect in 90 days but shall
3 not apply to any contract awarded pursuant to an invitation for
4 bids issued on or before the effective date of this act.