

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2319 Session of
2005

INTRODUCED BY ALLEN, BELFANTI, ARGALL, GOODMAN, CAPPELLI,
PHILLIPS, FAIRCHILD, BAKER, BOYD, CALTAGIRONE, CRAHALLA,
DeWEESE, EACHUS, GEORGE, GOOD, HALUSKA, HERMAN, HICKERNELL,
JAMES, LEDERER, LEH, MANN, MUSTIO, PALLONE, PETRARCA, PYLE,
READSHAW, REICHLEY, SATHER, SAYLOR, SIPTROTH, STERN, SURRA,
TANGRETTI, TIGUE, WILT, YOUNGBLOOD AND ZUG, DECEMBER 7, 2005

REFERRED TO COMMITTEE ON LABOR RELATIONS, DECEMBER 7, 2005

AN ACT

1 Prohibiting the use of illegal immigrant labor on economic
2 development projects; imposing powers and duties on the
3 Department of Community and Economic Development; and
4 providing for remedies.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Prohibition
9 of Illegal Alien Labor on Assisted Projects Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Department." The Department of Community and Economic
15 Development of the Commonwealth.

16 "Illegal alien." An individual who is in the United States
17 and is not in compliance with Federal law on immigration.

1 "Project." Work for which the Commonwealth provides a grant
2 or a loan.

3 Section 3. Prohibition.

4 A person may not use or knowingly permit the use of labor by
5 an illegal alien on a project.

6 Section 4. Reimbursement of Commonwealth aid.

7 (a) Contractual requirement.--

8 (1) As a condition of a grant, the department shall
9 require full repayment of the grant if subsection (b)
10 applies.

11 (2) As a condition of a loan, the department shall
12 require payment of the difference between the stated interest
13 rate of the loan and the rate of interest specified in
14 section 202 of the act of January 30, 1974 (P.L.13, No.6),
15 referred to as the Loan Interest and Protection Law, if
16 subsection (b) applies.

17 (b) Violations.--Payment or repayment under subsection (a)
18 is required if any of the following apply:

19 (1) The person that received the grant or loan is
20 sentenced under Federal law for an offense involving knowing
21 use of labor by an illegal alien on a project.

22 (2) All of the following apply:

23 (i) A contractor on the project is sentenced under
24 Federal law for an offense involving knowing use of labor
25 by an illegal alien on a project.

26 (ii) The person that received the grant knows or has
27 reason to know of the contractor's knowing use of labor
28 by an illegal alien on the project.

29 Section 19. Applicability.

30 This act shall apply to grants and loans issued on or after

- 1 the effective date of this section.
- 2 Section 20. Effective date.
- 3 This act shall take effect in 60 days.