

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 282 Session of
2023

INTRODUCED BY ARGALL, ROBINSON, STREET, STEFANO, BARTOLOTTA,
KANE, MASTRIANO, TARTAGLIONE, GEBHARD AND COSTA,
FEBRUARY 21, 2023

REFERRED TO STATE GOVERNMENT, FEBRUARY 21, 2023

AN ACT

1 Preventing the Commonwealth from dealing with persons associated
2 with the Government of Russia or the Government of Belarus;
3 and imposing duties on the Treasury Department and the
4 Attorney General.

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 Restrictions
9 for Associations with Russia and Belarus 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 "Commonwealth agency." As defined in 62 Pa.C.S. § 103
15 (relating to definitions).

16 "Critical material" or "critical mineral." A material or
17 mineral that:

18 (1) Has a significant economic importance for key

sectors of the State or national economy.

(2) Has a high-supply risk due to import dependence or high levels of concentration in particular countries or regions.

(3) Lacks viable substitutes due to its unique properties and nature.

"Person." An individual, corporation, partnership, limited liability company, business trust, association, estate, trust, foundation, business entity or government entity who is owned or controlled by, or acting for or on behalf of, Russia or Belarus as defined by the Office of Foreign Assets Control of the United States Department of Treasury as of the effective date of this definition.

Section 3. List of persons associated with Russia or Belarus.

(a) Development of list.--Within 60 days of the effective date of this section, the Treasury Department shall publish a list of persons.

(b) Update of list.--The list under subsection (a) shall be updated annually.

Section 4. Restrictions.

If a person is found to be on the list under section 3, the person may not:

(1) Bid on, submit a proposal for, enter into, be a party to or renew a contract with a Commonwealth agency for the provision of goods or services.

(2) Submit a proposal for, be associated with or renew a grant issued by the Commonwealth.

(3) Submit a proposal for, receive or renew a tax credit offered by the Commonwealth.

Section 5. Notice and challenge.

1 (a) Notice.--The Treasury Department shall publish a list of
2 persons on its publicly accessible Internet website under
3 section 3.

4 (b) Challenge.--A person may challenge the person's
5 inclusion on the list under section 3 by presenting proof of
6 removal from the Specially Designated Nationals and Blocked
7 Persons list maintained by the United States Department of
8 Treasury, Office of Foreign Assets Control, to the Treasury
9 Department to be stricken from the list.

10 Section 6. Critical materials and critical minerals.

11 The Treasury Department shall develop a list of critical
12 materials and critical minerals as identified as critical by the
13 United States Department of the Interior under Executive Order
14 13817. A person who provides, obtains or supplies a mineral
15 identified as critical minerals or materials to the Federal
16 Government or United States domiciled business shall, upon
17 notification to the Treasury Department, be removed from the
18 list and exempted from any restrictions imposed by this act. The
19 list shall be reviewed annually and updated by the Treasury
20 Department.

21 Section 7. Exception.

22 The following shall apply:

23 (1) Notwithstanding any provision of this act to the
24 contrary, money appropriated from the General Fund or awarded
25 by a Commonwealth agency for use in a Pennsylvania-based
26 project that would otherwise be restricted under section 4
27 shall be paid in full if a portion of the money was expended
28 prior to the effective date of section 4.

29 (2) The exception under paragraph (1) shall not apply if
30 the Commonwealth or Commonwealth agency has cause to cease

1 payment of money appropriated or awarded for use in a
2 Pennsylvania-based project that is unrelated to a restriction
3 under section 4.

4 Section 8. Construction.

5 Nothing in this act shall be construed to prohibit
6 transactions authorized by the Federal Government or under
7 Federal law.

8 Section 9. Effective date.

9 This act shall take effect in 60 days.