

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2395 Session of
2008

INTRODUCED BY DALLY, BRENNAN, CLYMER, FABRIZIO, FLECK, GEIST,
GRUCELA, HARHART, HERSHEY, HORNAMAN, McILHATTAN, MURT,
MUSTIO, PICKETT, REICHLEY, ROHRER, SAYLOR, SCHRODER,
SIPTROTH, SONNEY AND THOMAS, MARCH 27, 2008

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 27, 2008

AN ACT

1 Amending the act of March 3, 1978 (P.L.6, No.3), entitled "An
2 act to promote the general welfare and stimulate the economy
3 of the Commonwealth by requiring that all public bodies,
4 including the Commonwealth, its political subdivisions, and
5 all authorities, include in all contracts for construction,
6 reconstruction, alteration, repair, improvement or
7 maintenance of improvements of a permanent or temporary
8 nature, a provision that if any steel products are to be used
9 in the performance of the contract only steel products
10 produced in the United States shall be used, and imposing
11 liability for violation of this act," further providing for
12 applicability.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 4 of the act of March 3, 1978 (P.L.6,
16 No.3), known as the Steel Products Procurement Act, is amended
17 to read:

18 Section 4. (a) Every public agency shall require that every
19 contract document for the construction, reconstruction,
20 alteration, repair, improvement or maintenance of public works
21 contain a provision that, if any steel products are to be used
22 or supplied in the performance of the contract, only steel

1 products as herein defined shall be used or supplied in the
2 performance of the contract or any subcontracts thereunder.

3 (b) This section shall not apply in any [case where] of the
4 following cases:

5 (1) If the head of the public agency, in writing, determines
6 that steel products as herein defined are not produced in the
7 United States in sufficient quantities to meet the requirements
8 of the contract.

9 (2) If a public agency, in order to comply with subsection
10 (a), must reject a steel product from a company incorporated in
11 this Commonwealth and must, as a result, authorize the supply of
12 the steel product from a company located in another state.

13 Section 2. This act shall take effect in 60 days.