

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 657 Session of 2017

INTRODUCED BY BREWSTER, SABATINA AND YUDICHAK, MAY 5, 2017

REFERRED TO STATE GOVERNMENT, MAY 5, 2017

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 payments under contracts.

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

15 Section 1. Section 5(a) 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 5. (a) No public agency shall authorize, provide
 19 for or make any payments to any person under any contract
 20 containing the provision required by section 4 unless, when
 21 [unidentified] steel products are supplied under a contract,
 22 [such person has provided] the manufacturer or producer of the
 23 steel products maintains documentation including, but not

1 limited to, invoices, bills of lading, and mill [certification]
2 certifications that the steel was melted and manufactured in the
3 United States, which establish that such person has fully
4 complied with such provision. [If a steel product is
5 identifiable from its face, such person must submit
6 certification which satisfies the public agency that such person
7 has fully complied with the provision required by section 4.]
8 The steel manufacturer or producer shall maintain a system that
9 provides for verification by audit the traceability of this
10 documentation to the steel products produced. Any such payments
11 made to any person by any public agency which should not have
12 been made as a result of this section shall be recoverable
13 directly from the contractor, subcontractor, manufacturer or
14 supplier who did not comply with section 4 by either such public
15 agency or the Attorney General of Pennsylvania.

16 * * *

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