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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1864 Session of  
2019

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INTRODUCED BY D. MILLER, MARKOSEK, A. DAVIS, YOUNGBLOOD, BURGOS,  
MURT, HILL-EVANS, SCHLOSSBERG, KORTZ, JOHNSON-HARRELL,  
CALTAGIRONE, FREEMAN, KINSEY, DeLUCA, HOWARD, SCHWEYER,  
McCLINTON, FRANKEL, DALEY, HOHENSTEIN AND DONATUCCI,  
DECEMBER 2, 2019

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, DECEMBER 2, 2019

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AN ACT

1 Amending Title 15 (Corporations and Unincorporated Associations)  
2 of the Pennsylvania Consolidated Statutes, in general  
3 provisions, providing for eligibility for receipt of State  
4 resources.

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

7 Section 1. Title 15 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 1111. Eligibility for receipt of State resources.

10 (a) Conditions.--A domestic business corporation or a  
11 foreign business corporation with 200 or more employees in this  
12 Commonwealth shall not be eligible for a State contract, State  
13 funding or a State grant if the corporation:

14 (1) has violated the Fair Labor Standards Act of 1938  
15 (52 Stat. 1060, 29 U.S.C. § 201 et seq.) within the previous  
16 five years;

17 (2) is found guilty of an unfair labor practice in this

1 Commonwealth within the previous five years;

2 (3) has violated the act of August 15, 1961 (P.L.987,  
3 No.442), known as the Pennsylvania Prevailing Wage Act,  
4 within the previous five years; or

5 (4) fails to submit to the Department of State current  
6 bylaws of the corporation, which must provide for a  
7 corporation having a governing board, that at least 20% of  
8 the members of the governing board of the corporation are  
9 current employees of the corporation and are elected by the  
10 employees of the corporation.

11 (b) Applicability.--This section shall not apply if the  
12 condition described in subsection (a) (1), (2) or (3) occurred  
13 prior to the effective date of this section.

14 Section 2. This act shall apply to the following:

15 (1) A State contract entered into or renewed on or after  
16 the effective date of this act.

17 (2) State funding approved or otherwise made on or after  
18 the effective date of this act.

19 (3) A State grant approved on or after the effective  
20 date of this act.

21 Section 3. This act shall take effect in 60 days.