

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1282 Session of  
2020

INTRODUCED BY STEFANO, MENSCH, BROWNE, J. WARD, PITTMAN,  
MASTRIANO, PHILLIPS-HILL, MARTIN, YUDICHAK AND DiSANTO,  
SEPTEMBER 8, 2020

REFERRED TO STATE GOVERNMENT, SEPTEMBER 8, 2020

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 unidentified steel.

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, such  
22 person has provided documentation including, but not limited to,

1 invoices, bills of lading, and mill certification that the steel  
2 was melted and manufactured in the United States, which  
3 establish that such person has fully complied with such  
4 provision. If a steel product is identifiable from its face,]  
5 such person [must submit] has submitted certification which  
6 satisfies the public agency that such person has fully complied  
7 with the provision required by section 4. When unidentified  
8 steel products are supplied under a contract containing the  
9 provision required by section 4, such person shall maintain  
10 documentation, including, but not limited to, invoices, bills of  
11 lading and mill certification that the steel was melted and  
12 manufactured in the United States, which shall establish that  
13 the person has fully complied with the provision. Such  
14 documentation shall be maintained by the person for a period of  
15 seven years after payment and shall be made available for  
16 inspection by the public agency upon written request of the  
17 public agency. Any such payments made to any person by any  
18 public agency which should not have been made as a result of  
19 this section shall be recoverable directly from the contractor,  
20 subcontractor, manufacturer or supplier who did not comply with  
21 section 4 by either such public agency or the Attorney General  
22 of Pennsylvania.

23 \* \* \*

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