
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1917 Session of
2023

INTRODUCED BY DAVANZO, LEADBETER, R. MACKENZIE, JAMES, M. JONES,
MARCELL, KAUFFMAN, JOZWIAK, GILLEN, HAMM, STRUZZI AND ROWE,
DECEMBER 12, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 12, 2023

AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated
2 Statutes, in general provisions relating to Commonwealth
3 Procurement Code, further providing for definitions and
4 providing for prioritization of American-made supplies.

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

7 Section 1. Section 103 of Title 62 of the Pennsylvania
8 Consolidated Statutes is amended by adding a definition to read:

9 § 103. Definitions.

10 Subject to additional definitions contained in subsequent
11 provisions of this part which are applicable to specific
12 provisions of this part, the following words and phrases when
13 used in this part shall have the meanings given to them in this
14 section unless the context clearly indicates otherwise:

15 "American-made." Produced, manufactured, mined, grown or
16 performed in the United States. For the purpose of this
17 definition, produced or manufactured shall mean assembled in a
18 location within the United States.

1 * * *

2 Section 2. Title 62 is amended by adding a section to read:

3 § 109. Prioritization of American-made supplies.

4 (a) Prioritization.--The department shall prioritize the
5 procurement of American-made supplies and incorporate the
6 prioritization into the department's procurement policies,
7 procedures and specifications.

8 (b) Determinations.--If the Secretary of General Services
9 determines that a particular supply is not American-made, or is
10 American-made but not available in sufficient quantities to meet
11 the needs of a Commonwealth agency for which the department acts
12 as purchasing agency, the Secretary of General Services shall
13 transmit notice of the determination to the Legislative
14 Reference Bureau for publication in the next available issue of
15 the Pennsylvania Bulletin.

16 (c) Objections.--Beginning on the date of publication of the
17 notice under subsection (b) and until 30 days thereafter, a
18 person or business may file an objection to the determination in
19 a form and manner determined by the department. A person or
20 business shall include evidence of the particular supply being
21 American-made or evidence of the particular supply being
22 American-made and available in sufficient quantities. An
23 objection under this subsection shall be considered an appeal
24 under 2 Pa.C.S. Ch. 7 Subch. A (relating to judicial review of
25 Commonwealth agency action).

26 (d) Applicability.--If, after the adjudication of the
27 objection under subsection (c), the determination under
28 subsection (b) is affirmed, the prioritization requirements
29 under subsection (a) shall not apply for the particular supply.

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