
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2280 Session of
2024

INTRODUCED BY OWLETT, PICKETT, MERCURI, SCHEUREN AND ARMANINI,
MAY 14, 2024

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 14, 2024

AN ACT

1 Providing for the protection of public investment from global
2 risks, for duties of public funds and for an annual report.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Protecting
7 Pennsylvania's Public Investments from Geopolitical Risk Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Foreign country." Any sovereign nation other than the
13 United States.

14 "Geopolitical risks." The market risks to investments that
15 result from geopolitical events, including risks due to war,
16 terrorist attacks and other actions that impact the normal and
17 peaceful course of international relations.

18 "Public fund." As defined in section 2 of the act of July 2,

1 2010 (P.L.266, No.44), known as the Protecting Pennsylvania's
2 Investments Act.

3 Section 3. Consideration of geopolitical risks.

4 (a) Considerations for public funds.--A public fund shall
5 consider geopolitical risks within the public fund's investment
6 decision process for the following:

7 (1) Making an investment in an asset that is domiciled
8 in a foreign country where such geopolitical risks are
9 present.

10 (2) Making an investment in an asset that has a
11 substantial economic connection to a foreign country where
12 such geopolitical risks are present, as provided in the
13 investment policy under subsection (c).

14 (b) Coordination with other responsibilities.--The
15 considerations under subsection (a) shall be made in
16 coordination with, and subject to, any other actions taken as
17 part of the public fund's compliance with any other fiduciary or
18 prudent investing responsibilities as prescribed under:

19 (1) The act of July 2, 2010 (P.L.266, No.44) known as
20 the Protecting Pennsylvania's Investments Act.

21 (2) The act of November 3, 2022 (P.L.1970, No.132),
22 known as the Russia and Belarus Divestiture Act.

23 (3) 24 Pa.C.S. § 8521 (relating to management of fund
24 and accounts).

25 (4) 71 Pa.C.S. § 5931 (relating to management of fund
26 and accounts).

27 (5) Any obligations of a public fund with respect to the
28 choice of any of the following:

29 (i) Asset managers.

30 (ii) Investment funds.

1 (iii) Investments for the public fund's securities
2 portfolios.

3 (c) Investment policy.--A public fund shall adopt an
4 investment policy that shall describe criteria to be used by the
5 public fund to determine whether an asset has a substantial
6 economic connection to a foreign country under subsection (a)
7 (2). Criteria under this subsection may include a review of the
8 risks to supply chains in foreign countries and the proportion
9 of assets received from a foreign country.

10 Section 4. Annual report.

11 (a) Annual report.--No later than December 31, 2024, and
12 each December 31 thereafter, a public fund shall publish an
13 annual report that contains a list of the public fund's
14 investments that are domiciled in foreign countries as of the
15 prior June 30.

16 (b) Publication and distribution.--The report under
17 subsection (a) shall be published on the public fund's publicly
18 accessible Internet website.

19 Section 5. Effective date.

20 This act shall take effect immediately.