

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 88 Session of 2021

INTRODUCED BY D. MILLER, KINSEY, GALLOWAY, HILL-EVANS, DELLOSO, SANCHEZ, HOHENSTEIN, KENYATTA, SCHLOSSBERG AND CIRESI, JANUARY 11, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JANUARY 11, 2021

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 § 5111. Eligibility for receipt of State resources.

10 (a) Conditions.--A domestic nonprofit corporation or a
 11 foreign nonprofit 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) has been found guilty of an unfair labor practice in
 18 this Commonwealth within the previous five years; or

1 (3) fails to submit to the Department of State current
2 bylaws of the corporation, which must provide that at least
3 20% of the members of the governing board of the corporation
4 are current employees of the corporation and are elected by
5 the employees of the corporation.

6 (b) Applicability.--

7 (1) Subsection (a) shall not apply in the case of health
8 care-related money payable from the Commonwealth to the
9 domestic nonprofit corporation or foreign nonprofit
10 corporation, which shall include Medicaid reimbursements.

11 (2) This section shall not apply if the condition
12 described in subsection (a)(1) or (2) occurred prior to the
13 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.