

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1203 Session of
2022

INTRODUCED BY ARGALL, SCHWANK, GEBHARD, MENSCH, BARTOLOTTA,
KANE, YUDICHAK, COSTA, STREET, ROBINSON, PITTMAN AND STEFANO,
APRIL 22, 2022

AS AMENDED ON THIRD CONSIDERATION, SEPTEMBER 20, 2022

AN ACT

1 Preventing the Commonwealth from dealing with persons associated
2 with the Government of Russia or the Government of Belarus;
3 and imposing duties on the Treasury Department and the
4 Attorney General.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Restrictions
9 for Associations with Russia and Belarus Act.

10 Section 2. Definitions.

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

14 "Commonwealth agency." As defined in 62 Pa.C.S. § 103
15 (relating to definitions).

16 "Critical material" or "critical mineral." A material or
17 mineral that:

18 (1) has a significant economic importance for key

1 sectors of the State or national economy;

2 (2) has a high-supply risk due to import dependence or
3 high levels of concentration in particular countries or
4 regions; and

5 (3) lacks viable substitutes due to its unique
6 properties and nature.

7 "Person." An individual, corporation, partnership, limited
8 liability company, business trust, association, estate, trust,
9 foundation, business entity or government entity who is owned or
10 controlled by, or acting for or on behalf of, Russia or Belarus
11 as defined by the Office of Foreign Assets Control of the United
12 States Department of Treasury as of the effective date of this
13 definition.

14 Section 3. List of persons associated with Russia or Belarus.

15 (a) Development of list.--Within 60 days of the effective
16 date of this section, the Treasury Department shall
17 publish a list of persons.

18 (b) Update of list.--The list under subsection (a) shall be
19 updated annually.

20 Section 4. Restrictions.

21 If a person is found to be on the list under section 3, the
22 person may not:

23 (1) Bid on, submit a proposal for, enter into, be a
24 party to or renew a contract with a Commonwealth agency for
25 the provision of goods or services.

26 (2) Submit a proposal for, be associated with or renew a
27 grant issued by the Commonwealth.

28 (3) Submit a proposal for, receive or renew a tax credit
29 offered by the Commonwealth.

30 Section 5. Notice and challenge.

1 (a) Notice.--The Treasury Department shall publish a list of
2 persons on its publicly accessible Internet website under
3 section 3.

4 ~~(b) Challenge. A person may challenge the person's~~ <--
5 ~~inclusion on the list under section 3 to the Attorney General.~~
6 ~~If the person demonstrates to the satisfaction of the Attorney~~
7 ~~General that the person should not be included on the list the~~
8 ~~person shall be stricken from the list.~~

9 (B) CHALLENGE.--A PERSON MAY CHALLENGE THE PERSON'S <--
10 INCLUSION ON THE LIST UNDER SECTION 3 BY PRESENTING PROOF OF
11 REMOVAL FROM THE SPECIALLY DESIGNATED NATIONALS AND BLOCKED
12 PERSONS LIST MAINTAINED BY THE UNITED STATES DEPARTMENT OF
13 TREASURY, OFFICE OF FOREIGN ASSETS CONTROL, TO THE TREASURY
14 DEPARTMENT TO BE STRICKEN FROM THE LIST.

15 Section 6. Critical materials and critical minerals.

16 The Treasury Department shall develop a list of critical
17 materials and critical minerals as identified as critical by the
18 United States Department of the Interior under Executive Order
19 13817. Any person who provides, obtains or supplies a mineral
20 identified as critical minerals or materials to the Federal
21 Government or United States domiciled business shall, upon
22 notification to the Treasury Department, be removed from the
23 list and exempted from any restrictions imposed by this act.
24 This list shall be reviewed annually and updated by the Treasury
25 Department.

26 Section 7. Construction.

27 Nothing in this act shall be construed to prohibit
28 transactions authorized by the Federal Government or under
29 Federal law.

30 Section 8. Effective date.

1 This act shall take effect in 60 days.