



## SENATE OF PENNSYLVANIA BILL SUMMARY

### House Bill 2107 Printer's No. 3657

Prime Sponsor: Representative Baker  
Committee: State Government

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#### **SYNOPSIS:**

Prohibits the Department of General Services (DGS) from contracting with certain companies.

#### **SUMMARY:**

Amends the Title 62 (Procurement) by adding a new Chapter 36 (Prohibited Contracts) which prohibits DGS from contracting with a company unless the company certifies to the following:

- the company is not currently engaged in a boycott of a person or an entity based in or doing business with a jurisdiction which the Commonwealth is not prohibited by Congressional statute from engaging in trade or commerce; and
- the company will not during the duration of the contract engage in a boycott of a person or an entity based in or doing business with a jurisdiction which the Commonwealth is not prohibited by Congressional statute from engaging in trade or commerce.

If DGS determines a company submitted a false certification that the company is eligible to contract to DGS it will be reported to the Office of Attorney General. The company would be subject to a civil penalty in the amount of \$250,000 or twice the amount of the contract, whichever is greater.

Effective Date: 60 Days

#### **AMENDMENT A10072**

Amends Section 106.1 of Title 62 by adding that records concerning a procurement shall be made public, consistent with the Right to Know Law. The head of the purchasing agency must sign procurements over \$250,000 made in accordance with a contract in the best interest of the Commonwealth. The purchasing agency shall post certain procurement documents on its website or otherwise make them available.

Regarding emergency procurement, whenever practical, in the case of a procurement of a supply, at least two quotes shall be solicited and no written contract may be required. The supplier of the supply, service or construction may be paid based on the emergency approval and approved invoice.

Effective Date: 60 Days

#### **BILL HISTORY:**

Referred to House State Government, May 27, 2016  
Reported as amended June 28, 2016  
First consideration, June 28, 2016  
Second consideration, July 1, 2016  
Third consideration and final passage, July 10, 2016 (184-0)  
Referred to Senate State Government, July 28, 2016

Prepared by: Dando 9/21/2016