
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 792 Session of
2021

INTRODUCED BY YAW, STEFANO, SCAVELLO, HUTCHINSON, PITTMAN,
MENSCH AND MASTRIANO, JULY 7, 2021

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JULY 7, 2021

AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated
2 Statutes, in contract clauses and preference provisions,
3 providing for solar photovoltaic technologies; and imposing
4 duties on the Auditor General, the Department of Community
5 and Economic Development and the Department of Environmental
6 Protection.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Chapter 37 of Title 62 of the Pennsylvania
10 Consolidated Statutes is amended by adding a subchapter to read:

11 SUBCHAPTER F

12 SOLAR PHOTOVOLTAIC TECHNOLOGIES

13 Sec.

14 § 3761. Contract provisions.

15 § 3762. Reporting and study.

16 § 3763. Recycling.

17 § 3761. Contract provisions.

18 (a) Manufactured in the United States.--A Commonwealth
19 agency shall require that a contract for the construction,
20 reconstruction, alteration, repair or improvement of public

1 works contain a provision that, if a solar photovoltaic
2 technology or component is to be used or supplied in the
3 performance of the contract or a subcontract, only solar
4 photovoltaic technology or components manufactured and assembled
5 in the United States shall be used or supplied.

6 (b) Tax credits.--No tax credit awarded by a Commonwealth
7 agency may be used for a project that utilizes a solar
8 photovoltaic technology or component manufactured or assembled
9 outside of the United States.

10 (c) Certify contracts.--The Department of General Services,
11 in cooperation with the Department of Environmental Protection,
12 shall certify that contracts for the use of electricity or solar
13 energy credits are awarded to entities that utilize solar
14 photovoltaic technologies or components manufactured or
15 assembled in the United States.

16 (d) Regulations.--The Department of Community and Economic
17 Development shall develop standards and guidelines to prohibit
18 Commonwealth funds from being expended on a contract that is
19 performed by the use or supply of solar photovoltaic technology
20 or components manufactured or assembled outside the United
21 States.

22 (e) Definition.--As used in this section, the term "public
23 work" shall have the same meaning given to it in section 2(5) of
24 the act of August 15, 1961 (P.L.987, No.442), known as the
25 Pennsylvania Prevailing Wage Act.

26 § 3762. Reporting and study.

27 (a) Auditor General.--The Auditor General shall submit to
28 the chair and minority chair of the Environmental Resources and
29 Energy Committee of the Senate and the chair and minority chair
30 of the Environmental Resources and Energy Committee of the House

1 of Representatives a report on the amount of solar photovoltaic
2 technologies procured by Commonwealth agencies within 120 days
3 after the effective date of this section.

4 (b) Department of Community and Economic Development.--The
5 Department of Community and Economic Development shall conduct a
6 study of the domestic market of solar panel production and the
7 global supply chain and workforce involved in solar photovoltaic
8 technology production.

9 (1) The report shall be completed by July 1, 2022.

10 (2) The report shall be submitted to:

11 (i) The President pro tempore of the Senate.

12 (ii) The Speaker of the House of Representatives.

13 (iii) The Majority Leader and Minority Leader of the
14 Senate.

15 (iv) The Majority Leader and Minority Leader of the
16 House of Representatives.

17 (v) The chairperson and minority chairperson of the
18 Environmental Resources and Energy Committee of the
19 Senate.

20 (vi) The chairperson and minority chairperson of the
21 Environmental Resources and Energy Committee of the House
22 of Representatives.

23 § 3763. Recycling.

24 The Department of Environmental Protection shall promulgate
25 regulations to develop a Statewide recycling program for solar
26 photovoltaic technology and components.

27 Section 2. This act shall take effect in 60 days.