

Senate Engrossed House Bill

Uyghurs; forced labor; contracts; prohibition

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

CHAPTER 295

HOUSE BILL 2488

AN ACT

AMENDING TITLE 35, CHAPTER 2, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 10; RELATING TO HANDLING OF PUBLIC FUNDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 35, chapter 2, Arizona Revised Statutes, is
3 amended by adding article 10, to read:

4 ARTICLE 10. FORCED LABOR OF ETHNIC UYGHURS

5 35-394. Contracting; procurement; prohibition; written
6 certification; remedy; termination; exception;
7 definitions

8 A. A PUBLIC ENTITY MAY NOT ENTER INTO OR RENEW A CONTRACT WITH A
9 COMPANY TO ACQUIRE OR DISPOSE OF SERVICES, SUPPLIES, INFORMATION
10 TECHNOLOGY, GOODS OR CONSTRUCTION UNLESS THE CONTRACT INCLUDES A WRITTEN
11 CERTIFICATION THAT THE COMPANY DOES NOT CURRENTLY, AND AGREES FOR THE
12 DURATION OF THE CONTRACT THAT IT WILL NOT, USE:

13 1. THE FORCED LABOR OF ETHNIC UYGHURS IN THE PEOPLE'S REPUBLIC OF
14 CHINA.

15 2. ANY GOODS OR SERVICES PRODUCED BY THE FORCED LABOR OF ETHNIC
16 UYGHURS IN THE PEOPLE'S REPUBLIC OF CHINA.

17 3. ANY CONTRACTORS, SUBCONTRACTORS OR SUPPLIERS THAT USE THE FORCED
18 LABOR OR ANY GOODS OR SERVICES PRODUCED BY THE FORCED LABOR OF ETHNIC
19 UYGHURS IN THE PEOPLE'S REPUBLIC OF CHINA.

20 B. IF A COMPANY THAT HAS PROVIDED A WRITTEN CERTIFICATION PURSUANT
21 TO SUBSECTION A OF THIS SECTION BECOMES AWARE DURING THE TERM OF THE
22 CONTRACT THAT THE COMPANY IS NOT IN COMPLIANCE WITH THE WRITTEN
23 CERTIFICATION, THE COMPANY SHALL NOTIFY THE PUBLIC ENTITY WITHIN FIVE
24 BUSINESS DAYS AFTER BECOMING AWARE OF THE NONCOMPLIANCE. IF THE COMPANY
25 DOES NOT PROVIDE THE PUBLIC ENTITY WITH A WRITTEN CERTIFICATION THAT THE
26 COMPANY HAS REMEDIED THE NONCOMPLIANCE WITHIN ONE HUNDRED EIGHTY DAYS
27 AFTER NOTIFYING THE PUBLIC ENTITY OF THE NONCOMPLIANCE, THE CONTRACT
28 TERMINATES, EXCEPT THAT IF THE CONTRACT TERMINATION DATE OCCURS BEFORE THE
29 END OF THE REMEDY PERIOD, THE CONTRACT TERMINATES ON THE CONTRACT
30 TERMINATION DATE.

31 C. THIS SECTION DOES NOT APPLY TO A CONTRACT ENTERED INTO BEFORE
32 THE EFFECTIVE DATE OF THIS SECTION.

33 D. FOR THE PURPOSES OF THIS SECTION:

34 1. "COMPANY" MEANS AN ORGANIZATION, ASSOCIATION, CORPORATION,
35 PARTNERSHIP, JOINT VENTURE, LIMITED PARTNERSHIP, LIMITED LIABILITY
36 PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER ENTITY OR BUSINESS
37 ASSOCIATION, INCLUDING A WHOLLY OWNED SUBSIDIARY, MAJORITY-OWNED
38 SUBSIDIARY, PARENT COMPANY OR AFFILIATE, THAT ENGAGES IN FOR-PROFIT
39 ACTIVITY AND THAT HAS TEN OR MORE FULL-TIME EMPLOYEES.

40 2. "PUBLIC ENTITY" MEANS THIS STATE, A POLITICAL SUBDIVISION OF
41 THIS STATE OR AN AGENCY, BOARD, COMMISSION OR DEPARTMENT OF THIS STATE OR
42 A POLITICAL SUBDIVISION OF THIS STATE.

H.B. 2488

APPROVED BY THE GOVERNOR JUNE 13, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 13, 2022.