

Senate Engrossed House Bill

Uyghurs; forced labor; contracts; prohibition

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

# 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.