



SENATE BILL No. 1092

September 21, 2016, Introduced by Senator KOWALL and referred to the Committee on Commerce.

A bill to require contracts for certain public works to have certain provisions; to require the use or supply of American steel products on certain public works projects; to impose certain conditions and provide for certain exemptions; and to impose certain powers and duties on certain public entities and certain state and local officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "steel
2 products procurement act".

3 Sec. 2. As used in this act:

4 (a) "American steel products" means products rolled, formed,
5 shaped, drawn, extruded, forged, cast, fabricated, or otherwise

1 similarly processed, or processed by a combination of 2 or more of
2 these operations, from steel made in the United States by the open
3 hearth, basic oxygen, electric furnace, Bessemer, or other steel-
4 making process. American steel products also include iron products
5 cast from iron melted in an electric arch, cupola, or induction
6 furnace. If a product contains both foreign and American steel
7 products, that product shall be determined to be an American steel
8 product only if at least 75% of the cost of the articles,
9 materials, and supplies have been mined, produced, or manufactured,
10 as the case may be, in the United States.

11 (b) "Public entity" means this state or an agency or authority
12 of this state, school district, community college district,
13 intermediate school district, city, village, township, county,
14 public authority, or public airport authority.

15 (c) "Public funds" includes legislative appropriations and
16 local or state tax revenue.

17 (d) "Public works" means a public structure, building,
18 highway, waterway, street, bridge, transit system, airport,
19 pipeline, or other betterment, work, or improvement, whether of a
20 permanent or temporary nature and whether for governmental or
21 proprietary use.

22 Sec. 3. (1) A public entity shall not enter into a contract
23 for the construction, reconstruction, alteration, repair,
24 improvement, or maintenance of public works financed in whole or in
25 part by public funds unless that contract contains a provision that
26 all steel products used or supplied in the performance of the
27 contract and any related subcontract are American steel products.

1 (2) Subsection (1) does not apply if the public agency
2 entering into the contract determines, in writing, that American
3 steel products are not produced in, or available in, sufficient
4 quantity to meet the requirements of the contract.