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SENATE BILL NO. 492

Offered January 10, 2024

Prefiled January 9, 2024

A *BILL to amend the Code of Virginia by adding a section numbered 2.2-4311.3, relating to Virginia Public Procurement Act; procurement of electric vehicles; forced and child labor prohibition.*

Patron—Stanley

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-4311.3 as follows:

§ 2.2-4311.3. *Electric Vehicle Procurement; forced and child labor prohibition.*

A. For the purposes of this section:

"Forced labor" means:

1. Any work or service that is obtained by (i) any force, fraud, or coercion, including by threat of serious harm to, or physical restraint against, an individual; (ii) a scheme, plan, or pattern intended to cause an individual to believe that if the individual did not perform the labor or service, that individual, or another individual, would suffer serious harm or physical restraint; or (iii) any abuse or threatened abuse of law or the legal process;

2. Any work or service that is imposed on the basis of a protected characteristic;

3. Any work or service that is not offered or provided voluntarily by the individual; or

4. Any work or service that is produced through oppressive child labor.

"Oppressive child labor" means a condition of employment under which an individual who is under 16 years of age is employed in an occupation that is hazardous for the employment of children, including, sourcing, manufacturing, or mining.

B. In the awarding of contracts to acquire an electric vehicle or electric vehicle component, no public body shall enter into a contract with a business unless such business provides a sworn declaration from the manufacturer of such electric vehicle or electric vehicle component certifying that every person involved in the production of such electric vehicle or electric vehicle component and every person involved in the sourcing, manufacturing, or mining of the material used in such electric vehicle or electric vehicle component, did not use forced labor or oppressive child labor in the sourcing, manufacturing, or mining of such electric vehicle or electric vehicle component.

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