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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3197

04/03/2023 Authored by Koegel The bill was read for the first time and referred to the Committee on Sustainable Infrastructure Policy

1.1 A bill for an act
1.2 relating to state government; adding requirements for procurement of electric
1.3 vehicles; proposing coding for new law in Minnesota Statutes, chapter 16C.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. 16C.136 STATE PROCUREMENT OF ELECTRIC VEHICLES.

1.6 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
1.7 the meanings given.

1.8 (b) "Agency" means any state officer, employee, board, commission, authority,
1.9 department, entity, or organization of the executive branch of state government.

1.10 (c) "Battery manufacturer" means the company producing the battery in the specified
1.11 vehicle.

1.12 (d) "Battery minerals and metals" means nickel, copper, lithium, manganese, cobalt,
1.13 battery-grade iron, phosphate, aluminum, graphite, and steel.

1.14 (e) "Country of origin" means the country or countries where the vehicle was
1.15 manufactured, the vehicle battery was manufactured, and the minerals and metals in the
1.16 battery were produced.

1.17 (f) "Electric vehicle" means any device or contrivance that transports persons or property
1.18 and is capable of being powered by an electric motor drawing current from rechargeable
1.19 storage batteries, fuel cells, or other portable sources of electricity. Electric vehicle includes
1.20 but is not limited to:

1.21 (1) an electric vehicle, as defined in section 169.011, subdivision 26a;

2.1 (2) an electric-assisted bicycle, as defined in section 169.011, subdivision 27;

2.2 (3) an off-road vehicle, as defined in section 84.797, subdivision 7;

2.3 (4) a motorboat, as defined in section 86B.005, subdivision 9; or

2.4 (5) an aircraft, as defined in section 360.013, subdivision 37.

2.5 (g) "Vehicle manufacturer" means the company producing the electric vehicle.

2.6 Subd. 2. Agency request for proposal requirements. (a) Beginning July 1, 2023, state  
2.7 agencies purchasing or leasing electric vehicles shall require in any request for proposal  
2.8 (RFP) as defined in section 16C.02, subdivision 12, for purchase or lease of electric vehicles  
2.9 that all respondents provide the country of origin of the manufacture of the electric vehicle,  
2.10 the battery in the electric vehicle, and the minerals and metals in the battery. The RFP shall  
2.11 also seek additional information on:

2.12 (1) qualitative standards of production for the vehicle, battery, and battery minerals and  
2.13 metals that includes:

2.14 (i) labor conditions;

2.15 (ii) labor disputes;

2.16 (iii) impacts on biodiversity; and

2.17 (iv) human rights violations;

2.18 (2) embedded greenhouse gases generated during the mining and processing of the  
2.19 battery minerals; and

2.20 (3) percentage of battery minerals and metals sourced from recycling.

2.21 (b) The commissioner of the state agency submitting the RFP shall prioritize bids  
2.22 supplying the standards of production.

2.23 Subd. 3. Agency reports. (a) Beginning March 15, 2024, each state agency must report  
2.24 to the legislative auditor the number of electric vehicles purchased or leased, including the  
2.25 name of the company that produced the vehicle and the vehicle battery including:

2.26 (1) the name and country of origin of the electric vehicle manufacturer;

2.27 (2) the name and country of origin of the battery manufacturer;

2.28 (3) the country of origin of the battery minerals and metals;

2.29 (4) the processing location of the battery minerals and metals; and

3.1 (5) the information provided regarding the production standards in the country of origin  
3.2 for the vehicle, battery, and battery minerals.

3.3 (b) The legislative auditor shall report to the Legislative Audit Commission any reports  
3.4 that do not comply with this section.

3.5 Subd. 4. **Buy American preference.** Vehicles, batteries, and minerals are presumed to  
3.6 be produced at high standards and need only contain the information in subdivision 2,  
3.7 paragraph (a), clause (2), if:

3.8 (1) the battery manufacturer is located in the United States; and

3.9 (2) the batteries contain at least 50 percent of the battery value from minerals or metals  
3.10 mined or recycled in the United States.