AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 3523
OFFERED BY MR. MCNERNEY OF CALIFORNIA

At the end of the bill add the following new section:

SEC. 3. PROHIBITION ON RESTRICTIONS ON DATA CENTER LOCATIONS.

(a) PROHIBITION.—Except as expressly authorized by a provision of Federal law, no law, rule, regulation, order, or other administrative action of a State or a political subdivision of a State shall require that a business entity locate a data center in such State or such political subdivision as a condition for receiving a certification, license, or other approval relating to the operation of such business entity.

(b) DEFINITIONS.—In this section:

(1) BUSINESS ENTITY.—The term “business entity” means a person or entity performing or engaging in an activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit. Such term does not include a State or a political subdivision of a State.
(2) DATA CENTER.—The term “data center” means a facility that primarily contains electronic equipment used to process, store, or transmit digital information and that processes, stores, or transmits digital information in or affecting interstate or foreign commerce.