

# STATE OF NEW YORK

8385

2019-2020 Regular Sessions

## IN ASSEMBLY

June 15, 2019

Introduced by M. of A. CUSICK -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the letting of certain contracts involving non-market economy countries

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public authorities law is amended by adding a new  
2 section 2877-a to read as follows:

3 § 2877-a. Letting of certain contracts involving non-market economy  
4 countries. 1. Notwithstanding any other provision of law, all public  
5 authorities shall award contracts as set forth in this section. All  
6 purchase contracts for the construction, alteration, operation, repair,  
7 maintenance or improvement of any mass transportation facility, or  
8 equipment in excess of one million dollars shall not be awarded or  
9 executed with any vendor that receives support from a non-market economy  
10 country as defined in section 7781(18) of the Tariff Act of 1930 (19  
11 U.S.C. 1677(18)) and was identified by the United States Trade Represen-  
12 tative in the most recent report required by section 182 of the Trade  
13 Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subdi-  
14 vision (a)(2) of that section, and is subject to monitoring by the  
15 United States Trade Representative under section 306 of the Trade Act of  
16 1974 (19 U.S.C. 2416).

17 2. Nothing in this section is intended to contravene any existing  
18 treaties, laws, trade agreements, or regulations of the United States or  
19 subsequent trade agreements entered into between any foreign countries  
20 and the state or the United States.

21 3. Any authority subject to the provisions of this section shall be  
22 authorized to establish rules and regulations for the effective adminis-  
23 tration of this section.

24 § 2. This act shall take effect on the one hundred twentieth day after  
25 it shall have become a law and shall apply to any state contracts

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD13208-01-9

1 executed and entered into on or after such date and shall exclude such  
2 contracts that have been previously awarded or have pending bids or  
3 pending requests for proposals issued as of April 1, 2019.