STATE OF NEW YORK

6990

2021-2022 Regular Sessions

IN ASSEMBLY

April 19, 2021

Introduced by M. of A. CUSICK, ENGLEBRIGHT, GRIFFIN, ZEBROWSKI, JACOBSON, McDONALD, BARNWELL, STERN, DAVILA -- 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:

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

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

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

3. Any authority subject to the provisions of this section shall be authorized to establish rules and regulations for the effective administration of this section.

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

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§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law and shall apply to any state contracts executed and entered into on or after such date and shall exclude such contracts that have been previously awarded or have pending bids or pending requests for proposals issued as of April 1, 2021.