STATE OF NEW YORK

7837

2025-2026 Regular Sessions

IN SENATE

May 9, 2025

Introduced by Sen. C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law and the state finance law, in relation to establishing the buy American, buy union grant program and the buy American, buy union grant fund

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

Section 1. The economic development law is amended by adding a new article 23 to read as follows:

ARTICLE 23

BUY AMERICAN, BUY UNION GRANT PROGRAM

Section 450. Definitions.
451. Establishment of program.
452. Operation of program.
453. Application.
454. Limitations.
455. Determination.
456. Reports.
457. Rules and regulations.

§ 450. Definitions. For purposes of this article, the following terms shall have the following meanings:

1. (a) "Bus" shall mean:

(i) a motor vehicle designed to transport sixteen or more passengers, including the driver; or

(ii) a motor vehicle, other than a taxicab, limousine or personal vehicle designed to transport not more than fifteen passengers, including the driver, and used for the transportation of persons for compensation.

(b) "Bus" shall not include a vehicle used in a ridesharing arrangement.

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

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2. "Business entity" shall mean a corporation, partnership, limited liability company, business trust, association, estate, trust, foundation or similar entity.

3. "Fund" shall mean the "buy American, buy union grant fund" established pursuant to section ninety-eight-e of the state finance law.

4. (a) "Labor organization" shall mean any organization of any kind, or any agency or employee representation committee or plan in which employees participate, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, but shall not include any labor organization which, by ritualistic practice, constitutional or state law proscription, tacit agreement among its members, or otherwise, denies a person or persons membership in its organization on account of race, creed, color, or political affiliation.

(b) "Labor organization" shall not include an organization in which more than one-half of the employees of the organization are owners, officers or executives of such organization.

5. "Passenger car" shall mean a motor vehicle, except a motorcycle, designed primarily for the transportation of persons and designed for carrying no more than fifteen passengers, including the driver, and primarily used for the transportation of persons. "Passenger car" shall include motor vehicles which are designed with seats that may be readily removed and reinstalled, but does not include such vehicles if used primarily for the transportation of property.

6. "Procure" shall mean to acquire by purchase, lease or rent, but shall not include acquiring by lease or rent of the term of the lease or rent is less than one month.

7. "Program" shall mean the buy American, buy union grant program established pursuant to this article.

8. "School bus" shall mean a motor vehicle which is:

(a) designed to carry eleven passengers or more, including the driver; and

(b) is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.

9. "Union-made" shall mean assembled as part of the final step in the manufacturing process to create a finished product, at a plan, factory or other site of a business entity which is:

(a) located in the United States; and

(b) operating under a bona fide collective bargaining agreement negotiated by a bona fide labor organization.

10. "Vehicle" shall mean any of the following:

(a) a bus;

(b) a passenger car;

(c) a school bus;

(d) a school vehicle; or

(e) a truck, including a garbage truck.

§ 451. Establishment of program. The "buy American, buy union grant program" is hereby established within the department.

§ 452. Operation of program. The department shall implement and administer the program for the purpose of providing grants in accordance with this article to reimburse political subdivisions that procure consumer or commercial vehicles which are union-made.

§ 453. Application. 1. (a) The department shall develop an application form for political subdivisions to use to apply for a grant under the program.

(b) The application form may specify the most common consumer and commercial vehicles that would be eligible for a grant under the program.

(c) The department shall post and make publicly accessible the application form on the department's website.

2. A political subdivision applying for a grant under the program shall provide the following information to the department:

(a) the name of and contact information for the political subdivision;

(b) the amount of the grant requested;

(c) the number of consumer or commercial vehicles which are union-made for which a grant under the program is sought, including a description of the vehicle or vehicles;

(d) evidence of procurement and union-made status; and

(e) any other information the department deems necessary.

3. The department shall establish the manner and process for submitting completed application forms for consideration under the program, including but not limited to deadlines for submittal.

§ 454. Limitations. 1. The amount of a grant under the program for a political subdivision applicant shall be limited to not more than twenty percent of the costs incurred by the political subdivision regarding the procurement of the consumer or commercial vehicles which are union-made.

2. Grants under the program shall be disbursed on a first-come, first-served basis determined by the department and until all money in the fund is exhausted.

§ 455. Determination. 1. The department shall review each completed application for a grant under the program and shall determine whether a grant shall be awarded.

2. The department shall provide notice of the determination pursuant to subdivision one of this section. The following shall apply with respect to such notice:

(a) if the department shall award a grant, the department shall include the amount of the grant and any conditions on the use of such grant; and

(b) If the department does not award a grant in whole or in part, the department shall include the reasons for the full or partial denial.

§ 456. Reports. 1. No later than September first, two thousand twenty-six, and annually on September first thereafter, the department shall issue an annual report detailing the operation of the program and fund during the preceding year.

2. Each annual report required pursuant to this section shall include the following:

(a) the number of applications received for grants under the program and the total dollar amount of such grants applied for;

(b) the number of applicants who were awarded a grant under the program, including the amount of each grant awarded;

(c) the number of applicants who were denied a grant under the program, in whole or in part, including the reasons for the full or partial denial;

(d) the amount of money remaining in the fund at such time; and

(e) any other information the department deems necessary.

3. The report required pursuant to this section shall be submitted to the governor, the temporary president of the senate and the speaker of the assembly.

4. The department shall post and make publicly accessible each annual report required pursuant to this section on the department's website.

§ 457. Rules and regulations. The department shall promulgate any rules or regulations necessary for the implementation of this article.

§ 2. The state finance law is amended by adding a new section 98-e to read as follows:

§ 98-e. Buy American, buy union grant fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a special fund to be known as the "buy American, buy union grant fund".

2. All money deposited into such fund and interest and other earnings on money in such fund shall be appropriated to the department of economic development on a continuing basis for purposes of awarding grants under the buy American, buy union grant program established pursuant to article twenty-three of the economic development law.

3. Any money remaining in such fund at the end of each fiscal year, including interest and other earnings, shall remain in such fund.

4. The department of economic development may solicit and accept funding for the buy American, buy union grant program established pursuant to article twenty-three of the economic development law, including but not limited to money appropriated by the legislature, federal money, grants, donations, gifts and other payments from any source, which shall be deposited into the fund established pursuant to this section.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.