

# STATE OF NEW YORK

8851

## IN SENATE

January 9, 2026

Introduced by Sens. KRUEGER, COONEY, MAY, BRISPORT, CLEARE, COMRIE, FERNANDEZ, GONZALEZ, HARCKHAM, HINCHEY, JACKSON, KAVANAGH, SALAZAR, SANDERS, SEPULVEDA, SERRANO, SKOUFIS, STAVISKY, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

AN ACT to amend the state finance law, in relation to prohibitions on the use of certain tropical hardwoods for state contracts

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

1 Section 1. Paragraphs b, c, d and e of subdivision 1 of section 165 of  
2 the state finance law, as added by chapter 83 of the laws of 1995, are  
3 amended to read as follows:

4 b. (i) "Tropical hardwood" shall mean any and all hardwood, scientif-  
5 ically classified as angiosperm, that grows in any tropical [~~moist~~]  
6 forest. Tropical hardwoods shall [~~be~~] include but not be limited to the  
7 following species:

8 Scientific Name	<u>Examples of</u> Common [ <del>Name</del> ]
9	<u>Names</u>
10 <u>Prunus africana</u>	<u>African cherry, Red stinkwood</u>
11 <u>Caryocar costaricense</u>	<u>Ajo, Aji</u>
12 <u>Calophyllum spp.</u>	<u>Bintangor</u>
13 <u>Cedrela spp.</u>	<u>Cedar</u>
14 <u>Neobalanocarpus heimii,</u>	<u>Chengal</u>
15 <u>Balanocarpus heimii</u>	
16 <u>Octomeles sumatrana Miq.</u>	<u>Erima, benuang</u>
17 <u>Myroxylon balsamum</u>	<u>Estoraque</u>
18 <u>Apuleia leiocarpa</u>	<u>Garapa</u>
19 <u>Parastemon urophyllus, Parastemon</u>	<u>Malas</u>
20 <u>spicatus Ridley</u>	
21 <u>Hopea spp.</u>	<u>Merawan</u>
22 <u>Araucaria araucana</u>	<u>Monkey Puzzle, Chilean pine</u>
23 <u>Pterocarpus tinctorius</u>	<u>Mukula</u>
24 <u>Senna siamea</u>	<u>Siamese senna</u>
25 <u>Pometia pinata</u>	<u>Taun</u>

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

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1	<u>Milletia leucantha Kurz</u>	<u>Thinwin</u>
2	<u>Bulnesia arborea, Bulnesia</u>	<u>Verawood, Argentine lignum</u>
3	<u>sarmientoi</u>	<u>vitae</u>
4	<u>Tristaniopsis laurina</u>	<u>Water gum</u>
5	<u>Terminalia spp.</u>	
6	<u>Homalium foetidum</u>	<u>Malas</u>
7	<u>Dillenia papuana</u>	<u>Dillenia</u>
8	<u>Canarium spp.</u>	<u>Red Canarium, Grey Canarium</u>
9	<u>Burkrella macropoda</u>	<u>Rang rang</u>
10	<u>Octomeles sumatrana</u>	<u>Erima, Benuang</u>
11	<u>Dracontomelon dao</u>	<u>New Guinea walnut</u>
12	<u>Planchonella spp.</u>	<u>White Planchonella, Red</u>
13		<u>Planchonella</u>
14	<u>Lophopetalum spp.</u>	<u>Perupok</u>
15	<u>Carinian pyriformis</u>	<u>Abarco, Jequitiba</u>
16	<u>Mitragyna ciliate</u>	<u>Abura</u>
17	Vouacapous americana	Acapu
18	<u>Amburana caerensis</u>	<u>Amburana, Cerejeira</u>
19	<u>Dalbergia melanoxyton</u>	<u>African Blackwood</u>
20	<u>Lovoa spp.</u>	<u>African Walnut, Tigerwood</u>
21	Pericopsis elata	[ <del>Afrormosis</del> ] <u>Afrormosia</u>
22	[ <del>Shorea almon</del> ]	[ <del>Almon</del> ]
23	<u>Aspidosperma megalocarpon</u>	<u>Acaretto</u>
24	Peltogyne spp.	<u>Amaranth, purpleheart</u>
25	<u>Terminalia amazonia</u>	<u>Amarillo Real</u>
26	[ <del>Guibourtia</del> ] <u>Guibourtia ehie</u>	Amazaque
27	<u>Amburana cearensis</u>	<u>Amburana, Cerejeira, cumare</u>
28	<u>Pterogyne nitens</u>	<u>Amendoim</u>
29	<u>Carapa guianensis</u>	<u>Andiroba, False Mahogany</u>
30	<u>Dicorynia guianensis</u>	<u>Angilique Cris</u>
31	[ <del>Aningeria</del> ] <u>Aningeria</u> spp.	<u>Aningeria, anegre,</u>
32		<u>anigre</u>
33	Dipterocarpus [ <del>grandiflorus</del> ]	[ <del>Apilong</del> ] <u>Apitong, Keruing</u>
34	spp.	
35	<u>Centrolobium spp.</u>	<u>Arariba, Amarillo</u>
36	<u>Brosimum utile</u>	<u>Baco</u>
37	<u>Shorea spp.</u>	<u>Balau, Selangan batu</u>
38	Ochroma lagopus	Balsa
39	<u>Ochroma pyramidale</u>	<u>Balsa</u>
40	<u>Myroxylon balsamum</u>	<u>Balsamo</u>
41	[ <del>Virela spp.</del> ]	[ <del>Banak</del> ]
42	[ <del>Anisoptera thurifera</del> ]	[ <del>Bella-Rose</del> ]
43	[ <del>Guibourtia</del> ] <u>Guibourtia arnoldiana</u>	
44		<u>Benge, Mutenye</u>
45	<u>Berlinia spp.</u>	<u>Berlinia, Rose Zebrano</u>
46	<u>Symphonia globulifera</u>	<u>Boar Wood</u>
47	Deterium [ <del>Senegalese</del> ] <u>senegalese</u>	Boire
48	<u>Caesalpinia echinata,</u>	<u>Brazilwood, Pernambuco</u>
49	<u>Paubrasilia eschinata</u>	
50	<u>Bertholletia excels</u>	<u>Brazil Tree</u>
51	<u>Brosimum alicastrum</u>	<u>Breadnut</u>
52	<u>Guilbourtia spp.</u>	<u>Bubinga, African</u>
53	<u>(G. demusei, G. pellegriniana,</u>	<u>Rosewood, Kevazingo</u>
54	<u>G. tessmannii)</u>	
55	<u>Toona calantas, Cedrela calantas</u>	<u>Calantas, Kalantas</u>
56	Priora copaifera	Cativo

1	<u>Cedrela odorata, Cedrela fissilis</u>	<u>Cedro, Cedar, Spanish cedar,</u>
2		<u>South American cedar</u>
3	<u>Ceiba pentandra</u>	<u>Ceiba</u>
4	Antiaris africana	Chenchen, <u>Antiaris</u>
5	<u>Couratari guianensis</u>	<u>Coco Blanco</u>
6	[ <del>Dalbergia</del> ] <u>Dalbergia</u>	
7	retusa	[ <del>Conebela</del> ] <u>Cocobolo,</u>
8		<u>Granadillo</u>
9	<u>Tabebuia donnell-smithii</u>	<u>Copal</u>
10	<u>Daniellia spp.</u>	<u>Copal, Daniellia</u>
11	Cordia spp.	<u>Cordia, Bocote, Ziricote, Louro</u>
12	<u>Hymenaea courbaril</u>	<u>Courbaril, West Indian Locust</u>
13	<u>Dipteryx odorata</u>	<u>Cumaru</u>
14	<u>Piptadeniastrum africanum</u>	<u>Dahoma, Banzu</u>
15	<u>Calycophyllum candidissimum</u>	<u>Degame, Legame Lancewood,</u>
16		<u>Lemonwood</u>
17	<u>Azelia spp.</u>	<u>Doussie, Lingue</u>
18	[ <del>Diospyros</del> ] <u>Diospyrus</u> spp.	<u>Ebony, Macassar</u>
19		<u>ebony,</u>
20		<u>Ceylon ebony</u>
21	<u>Lophira alata</u>	<u>Ekki, Azobe, Bangassi, Akoura,</u>
22		<u>Red Ironwood</u>
23	<u>Combretodendron macrocarpum</u>	<u>Esia, Essia</u>
24	<u>Cordia goeldiana</u>	<u>Freijo, Cordia Wood</u>
25	<u>Chlorophora tinctoria</u>	<u>Fustic, Yellow Wood, Tatajuba</u>
26	[ <del>Aucoumes</del> ] <u>Aucoumea</u> klaineana	<u>Gaboon, Okoume</u>
27	<u>Astronium spp.</u>	<u>Goncalo Alves, Zebrawood,</u>
28		<u>Tigerwood</u>
29	<u>Ocotea rodiaei</u>	<u>Greenheart</u>
30	<u>Enterolobium cyclocarpum</u>	<u>Guanacaste, Rain Tree,</u>
31		<u>Elephant Ear</u>
32	<u>Guarea spp.</u>	<u>Guarea, Bosse</u>
33	<u>Terminalia ivorensis</u>	<u>Idigbo, Framire, Black Afara</u>
34	<u>Phoebe porosa</u>	<u>Imbuia, Imbuya, Embuia,</u>
35		<u>Brazilian Walnut</u>
36	<u>Handroanthus spp.</u>	<u>Ipe, Brazilian walnut,</u>
37		<u>bethabarra, Pau d'arco,</u>
38		<u>Ironwood, Lapacho</u>
39	Chlorophors excelsa	<u>Iroko</u>
40	<u>Hymenaea courbaril</u>	<u>Jatoba, "Brazilian Cherry"</u>
41	<u>Jacaranda copaia</u>	<u>Jacaranda</u>
42	<u>Machaerium villosum</u>	<u>Jacaranda Pardo</u>
43	<u>Dyera costulata</u>	<u>Jelutong</u>
44	<u>Dryobalanops spp.</u>	<u>Kapur, Keladan</u>
45	<u>Koompassia malaccensis</u>	<u>Kempas, Impas</u>
46	Acacia koa	<u>Koa</u>
47	<u>Entandrophragma candollei</u>	<u>Kosipo, Omu</u>
48	Pterygota macrocarpa	<u>Koto, African Pterygota, Ware</u>
49	<u>Oxandra lanceolate</u>	<u>Lancewood</u>
50	Shorea spp. [ <del>negrosensis</del> ]	[ <del>Red</del> ] <u>Lauan, Luan,</u>
51		<u>Lawaan, Meranti, White</u>
52		<u>meranti, yellow meranti, dark</u>
53		<u>red meranti, light red meranti,</u>
54		<u>Seraya, Tanguile, Bang,</u>
55		<u>Philippine Mahogany</u>

1	[ <del>Pentaeme contorta</del> ]	[ <del>White Lauan</del> ]
2	[ <del>Shores ploysprma</del> ]	[ <del>Tanguile</del> ]
3	<u>Nothofagus pumilio</u>	<u>Lenga</u>
4	<u>Guaiacum officinale</u>	<u>Lignum Vitae, Guayacan,</u>
5		<u>Ironwood</u>
6	Terminalia superba	<u>Limba, Afara, Ofram</u>
7	[ <del>Aniba duckei</del> ] <u>Aniba rosedora</u>	[ <del>Loure</del> ] <u>Brazilian</u>
8		<u>rosewood, pau rosa, bois</u>
9		<u>de rose</u>
10	<u>Nectandra spp.</u>	<u>Louro Preto</u>
11	[ <del>Kyaya iverensis</del> ] <u>Khaya spp.</u>	[ <del>Africa</del> ] <u>African</u>
12		<u>Mahogany</u>
13	[ <del>Swietenia macrophylla</del> ]	[ <del>Amer. Mahogany</del> ]
14	<u>Swietenia spp.</u>	<u>American Mahogany, West Indian</u>
15		<u>Mahogany, Central American</u>
16		<u>Mahogany, Honduran Mahogany,</u>
17		<u>South American Mahogany,</u>
18		<u>Mexican Mahogany, Bigleaf</u>
19		<u>Mahogany, Little Leaf</u>
20		<u>Mahogany, Acajou, Caoba</u>
21		<u>Mogno</u>
22	Tieghemella [ <del>heckelii</del> ] <u>heckelii</u>	[ <del>Makora</del> ]
23		<u>Makore,</u>
24		<u>Baku</u>
25	<u>Diospyros marmorata</u>	<u>Marblewood, Zebrawood</u>
26	<u>Intsia bijuga, Intsia palembanica</u>	<u>Merbau, Ipil, Kwila</u>
27	<u>Anisoptera spp.</u>	<u>Mersawa, Krabak, Palosapis,</u>
28		<u>Bella Rosa</u>
29	<u>Mora excelsa</u>	<u>Mora</u>
30	Distemonanthus benthamianus	<u>Movingui, Ayan</u>
31	<u>Terminalia amazonia</u>	<u>Nargusta</u>
32	<u>Pterocarpus spp.</u>	<u>Narra, Ambyna, Papua New Guinea</u>
33		<u>Rosewood, Red Sanders, Mukula,</u>
34		<u>Kosso, Zitan, Hongmu, Padauk,</u>
35		<u>Vermillion Wood</u>
36	<u>Palaquium spp.</u>	<u>Nyatoh, Padang, Pencil Cedar</u>
37	<u>Triplochiton scleroxylon</u>	<u>Obeche, Samba</u>
38	<u>Nauclea diderrichii</u>	<u>Opepe, Sibö</u>
39	[ <del>Pterocarpus soyauxii</del> ]	[ <del>African Padauk</del> ]
40	[ <del>Pterocarpus angolensis</del> ]	[ <del>Angola Padauk</del> ]
41	<u>Millettia stuhlmannii</u>	<u>Panga Panga</u>
42	<u>Balfourodendron riedelianum</u>	<u>Pau Marfim</u>
43	Aspidosperma spp.	<u>Peroba, Rosa</u>
44	<u>Paratecoma peroba</u>	<u>Peroba Branca</u>
45	<u>Dalbergia frutescens, D. tomentosa</u>	<u>Pinkwood, Brazilia Tulipwood</u>
46	<u>Tabebuia donnell-smithii</u>	<u>Prima Vera, Roble, Durango</u>
47	Peltogyne spp.	<u>Purpleheart</u>
48	Gonystylus spp.	<u>Ramin</u>
49	<u>Melanorrhoea curtisii</u>	<u>Rengas, Borneo Rosewood</u>
50	<u>Nothofagus obliqua</u>	<u>Roble</u>
51	<u>Hevea brasiliensis</u>	<u>Rubberwood</u>
52	Dalbergia spp.	<u>Rosewood, Indian Rosewood,</u>
53		<u>Honduras Rosewood, cocobolo,</u>
54		<u>granadillo</u>
55	<u>Aniba duckei</u>	<u>Brazilian Rosewood</u>
56	[ <del>Entandrophragm-a</del> ] <u>Entandrophragma</u>	

1	cylindricum	[ <del>Sapela</del> ] <u>Sapele, Sapelli</u>
2	<u>Acanthopanax ricinofolius</u>	<u>Sen, Castor Arabia</u>
3	<u>Brosimum aubletti, Piratinera</u>	<u>Snakewood, Letterwood, Leopard</u>
4	<u>guianensis</u>	<u>Wood</u>
5	[ <del>Shores-philippinensis</del> ]	[ <del>Sonora</del> ]
6	<u>Juglans spp. (juglans</u>	<u>South American Walnut, Peruvian</u>
7	<u>australis, J. neotropica,</u>	<u>Walnut, Tropical Walnut</u>
8	<u>J. Olanchana, etc.)</u>	
9	<u>Sterculia rhinopetala</u>	<u>Sterculia</u>
10	<u>Bagassa guianensis</u>	<u>Tatajuba, Bagasse</u>
11	Tectona grandis	Teak
12	Lovoa trichilloides	Tigerwood
13	<u>Entandrophragma utile</u>	<u>Utile, Sipo</u>
14	<u>Virola spp.</u>	<u>Virola, Cumala, Banak, Tapsava</u>
15	Millettia laurentii	Wenge
16	<u>Pentacme contorta</u>	<u>White Lauan</u>
17	Microberlinia [ <del>brazzavillensis</del> ]	Zebrawood,
18	<u>spp.</u>	<u>Zebrano, Zingana</u>

19 (ii) No later than January first, two thousand thirty, and at least  
 20 every three years thereafter, the department of environmental conserva-  
 21 tion, in consultation with the office of general services, shall through  
 22 regulations update the list of tropical hardwood species in subparagraph  
 23 (i) of this paragraph to ensure that such list includes all such species  
 24 that are currently commonly available for commercial use in the United  
 25 States, reflecting the most current data on production, trade, and  
 26 marketing, and to account for any changes in taxonomy, marketing or  
 27 trade names, market preference, usage, or other factors. Species shall  
 28 not be removed from the list of examples except for purposes of correct-  
 29 ing errors.

30 c. "Tropical [~~rain~~] forests" shall mean [~~any and all forests classi-~~  
 31 ~~fied by the scientific term "Tropical moist forests", the classification~~  
 32 ~~determined by the equatorial region of the forest and average rainfall]~~  
 33 a natural ecosystem within the tropical regions, approximately bounded  
 34 geographically by the tropics of Cancer and Capricorn, but possibly  
 35 affected by other factors such as prevailing winds, containing native  
 36 species composition, structure, and ecological function, with a tree  
 37 canopy cover of more than ten percent over an area of at least 0.5  
 38 hectares. "Tropical forests" shall include all of the following: (i)  
 39 human-managed tropical forests or partially degraded tropical forests  
 40 that are regenerating; and (ii) tropical forests identified by multi-ob-  
 41 jective conservation based assessment methodologies, such as High  
 42 Conservation Value (HCV) areas, as defined by the HCV Resource Network,  
 43 or High Carbon Stock forests, as defined by the High Carbon Stock  
 44 Approach, or by another methodology with equivalent or higher standards  
 45 that includes primary forests and tropical peatlands of any depth.

46 d. "Tropical hardwood products" shall mean any wood products, whole-  
 47 sale or retail, in any form, including but not limited to plywood,  
 48 veneer, furniture, cabinets, paneling, siding, moldings, doors, doors-  
 49 kins, joinery, flooring or sawnwood, which are composed, in whole or in  
 50 part, of tropical hardwood [~~except plywood~~].

51 e. "Peat" means a soil that is rich in organic matter composed of  
 52 partially decomposed plant materials equal to or greater than 40 centi-  
 53 meters of the top 100 centimeters of the soil.

1 f. "Tropical peatlands" means wetlands within the tropical regions  
2 with a layer of peat made up of dead and decaying plant material. Trop-  
3 ical peatlands includes moors, bogs, mires, and peat swamp forests.

4 g. "Secondary materials" means any material recovered from or other-  
5 wise destined for the waste stream, including, but not limited to, post-  
6 consumer material, industrial scrap material and [~~overstock or~~] obsolete  
7 inventories from distributors, wholesalers and other companies but such  
8 term does not include those materials and by-products generated from,  
9 and commonly reused within, an original manufacturing process.

10 § 2. Paragraphs a, b, c and d of subdivision 2 of section 165 of the  
11 state finance law, as added by chapter 83 of the laws of 1995, are  
12 amended and four new paragraphs e, f, g and h are added to read as  
13 follows:

14 a. Except as hereinafter provided, the state and any governmental  
15 agency or political subdivision or public benefit corporation of the  
16 state shall not purchase or obtain for any purpose any tropical hard-  
17 woods or tropical hardwood products, wholesale or retail, in any form,  
18 unless such tropical hardwoods or tropical hardwood products are second-  
19 ary materials.

20 b. The provisions of paragraph a of this subdivision shall not apply  
21 to:

22 (i) [~~Any hardwoods purchased from a sustained, managed forest, or~~  
23 ~~(ii)~~] Any binding contractual obligations for purchase of commodities  
24 entered into prior to August twenty-fifth, nineteen hundred ninety-one;  
25 or

26 [~~(iii) The purchase of any tropical hardwood or tropical hardwood~~  
27 ~~product for which there is no acceptable non-tropical hardwood species,~~  
28 ~~or~~

29 ~~(iv) Where the contracting officer finds that no person or entity~~  
30 ~~doing business in the state is capable of providing acceptable non-trop-~~  
31 ~~ical hardwood species sufficient to meet the particular contract~~  
32 ~~requirements, or~~

33 ~~(v)~~ (ii) Where the inclusion or application of such provisions will  
34 violate or be inconsistent with the terms or conditions of a grant,  
35 subvention or contract in an agency of the United States or the  
36 instructions of an authorized representative of any such agency with  
37 respect to any such grant, subvention or contract[~~, or~~

38 ~~(vi) Where inclusion or application of such provisions results in a~~  
39 ~~substantial cost increase to the state, government agency, political~~  
40 ~~subdivision, public corporation or public benefit corporation].~~

41 c. (i) In the case of any bid proposal or solicitation, request for  
42 bid or proposal or contract for the construction of any public work,  
43 building maintenance or improvement for or on behalf of the state and  
44 any governmental agency or political subdivision or public benefit  
45 corporation of the state, it shall not require or permit the use of any  
46 tropical hardwood or [~~wood~~] tropical hardwood product, unless such trop-  
47 ical hardwood or tropical hardwood product is a secondary material.

48 (ii) Every bid proposal, solicitation, request for bid or proposal and  
49 contract for the construction of any public work, building maintenance  
50 or improvement shall contain a statement that any bid, proposal or other  
51 response to a solicitation for bid or proposal which proposes or calls  
52 for the use of any tropical hardwood or [~~wood~~] tropical hardwood product  
53 in performance of the contract shall be deemed non-responsive, unless  
54 such tropical hardwood or tropical hardwood product is a secondary mate-  
55 rial.

56 d. The provisions of paragraph c of this subdivision shall not apply:

1 (i) To bid packages advertised and made available to the public or any  
2 competitive and sealed bids received or entered into prior to August  
3 twenty-fifth, nineteen hundred ninety-one; or

4 (ii) To any amendment, modification or renewal of a contract, which  
5 contract was entered into prior to August twenty-fifth, nineteen hundred  
6 ninety-one, where such application would delay timely completion of a  
7 project or involve an increase in the total monies to be paid under that  
8 contract; or

9 (iii) Where the contracting officer finds that[+

10 ~~(A) No person or entity doing business in the state is capable of~~  
11 ~~performing the contract using acceptable non-tropical hardwood species,~~  
12 ~~or~~

13 ~~(B) The~~ the inclusion or application of such provisions will violate  
14 or be inconsistent with the terms or conditions of a grant, subvention  
15 or contract with an agency of the United States or the instructions of  
16 an authorized representative of any such agency with respect to any such  
17 grant, subvention or contract[+~~or~~

18 ~~(C) The use of tropical woods is deemed necessary for purposes of~~  
19 ~~historical restoration and there exists no available acceptable non-~~  
20 ~~tropical wood species].~~

21 e. The use of any tropical hardwood or tropical hardwood product as  
22 part of the construction, renovation, maintenance, or installation of  
23 any public work, building or other structure, or improvement on lands  
24 owned or managed by the state or any governmental agency or political  
25 subdivision or public benefit corporation of the state shall be prohib-  
26 ited, except where such prohibition would violate or be inconsistent  
27 with the terms and conditions of a grant, subvention or contract with an  
28 agency of the United States or the instructions of an authorized repre-  
29 sentative of any such agency with respect to any such grant, subvention,  
30 or contract, unless such tropical hardwood or tropical hardwood product  
31 is a secondary material. The governmental agency, political subdivi-  
32 sion, or public benefit corporation that owns or manages such land shall  
33 ensure that all contractors and subcontractors are informed of the  
34 requirements of this paragraph.

35 f. (i) Until January first, two thousand thirty-two, the provisions of  
36 paragraphs a, c, and e of this subdivision shall not apply to the use of  
37 ekki wood by the metropolitan transportation authority for the purpose  
38 of railroad ties in the New York city transit system, provided that the  
39 metropolitan transportation authority shall, no later than October  
40 first, two thousand twenty-seven, after providing notice and an opportu-  
41 nity for public comment, develop and issue an ekki transition plan  
42 outlining the steps the authority will take to minimize to the greatest  
43 extent possible, and eventually phase out, the use of ekki wood, and  
44 provided further that until such phase out has been completed, such  
45 agency shall use, to the greatest extent possible, only secondary mate-  
46 rials when the use of ekki wood is specified and unavoidable. Such plan  
47 shall be made publicly available on the authority's website. No later  
48 than October first, two thousand twenty-eight, and annually thereafter  
49 until the expiration of this paragraph, the authority shall issue a  
50 public report outlining its progress toward achieving such plan.

51 (ii) If, on or after April first, two thousand thirty-one, the direc-  
52 tor of the budget issues a determination, after providing notice and an  
53 opportunity for public comment, that the authority has made significant  
54 progress in phasing out the use of ekki wood, but that a full phase out  
55 has been delayed due to technical or safety considerations, the  
56 provisions of subparagraph (i) of this paragraph may be extended until

1 December thirty-first of the subsequent calendar year. Such determi-  
2 nation may be made annually thereafter, on or after April first of  
3 subsequent years, provided that under no circumstances shall the  
4 provisions of this paragraph extend beyond January first, two thousand  
5 thirty-seven.

6 g. (i) Until January first, two thousand thirty-five, the provisions  
7 of paragraphs a, c, and e of this subdivision shall not apply to the use  
8 of greenheart wood by a ferry service directly owned and operated by an  
9 agency of a city of one million or more, provided that such agency  
10 shall, no later than October first, two thousand twenty-seven, after  
11 providing notice and an opportunity for public comment, develop and  
12 issue a greenheart transition plan outlining the steps such agency will  
13 take to minimize to the greatest extent possible, and eventually phase  
14 out, the use of greenheart wood, and provided further that until such  
15 phase out has been completed, such agency shall use, to the greatest  
16 extent possible, only secondary materials when the use of greenheart  
17 wood is specified and unavoidable. Such plan shall be made publicly  
18 available on the agency's website. No later than October first, two  
19 thousand twenty-eight, and annually thereafter until the expiration of  
20 this paragraph, the agency shall issue a public report outlining its  
21 progress toward achieving such plan.

22 (ii) If, on or after April first, two thousand thirty-four, the direc-  
23 tor of the budget issues a determination, after providing notice and an  
24 opportunity for public comment, that such agency has made significant  
25 progress in phasing out the use of greenheart wood, but that a full  
26 phase out has been delayed due to technical or safety considerations,  
27 the provisions of subparagraph (i) of this paragraph may be extended  
28 until December thirty-first of the subsequent calendar year. Such  
29 determination may be made annually thereafter, on or after April first  
30 of subsequent years, provided that under no circumstances shall the  
31 provisions of this paragraph extend beyond January first, two thousand  
32 forty.

33 h. (i) Until January first, two thousand thirty-five, the provisions  
34 of paragraphs a, c, and e of this subdivision shall not apply to the use  
35 of greenheart wood on bridges managed by the department of transporta-  
36 tion of a city of one million or more, provided that such department  
37 shall, no later than October first, two thousand twenty-seven, after  
38 providing notice and an opportunity for public comment, develop and  
39 issue a greenheart transition plan outlining the steps such department  
40 will take to minimize to the greatest extent possible, and eventually  
41 phase out, the use of greenheart wood, and provided further that until  
42 such phase out has been completed, such department shall use, to the  
43 greatest extent possible, only secondary materials when the use of  
44 greenheart wood is specified and unavoidable. Such plan shall be made  
45 publicly available on the department's website. No later than October  
46 first, two thousand twenty-eight, and annually thereafter until the  
47 expiration of this paragraph, the department shall issue a public report  
48 outlining its progress toward achieving such plan.

49 (ii) If, on or after April first, two thousand thirty-four, the direc-  
50 tor of the budget issues a determination, after providing notice and an  
51 opportunity for public comment, that such department has made signif-  
52 icant progress in phasing out the use of greenheart wood, but that a  
53 full phase out has been delayed due to technical or safety consider-  
54 ations, the provisions of subparagraph (i) of this paragraph may be  
55 extended until December thirty-first of the subsequent calendar year.  
56 Such determination may be made annually thereafter, on or after April

1 first of subsequent years, provided that under no circumstances shall  
2 the provisions of this paragraph extend beyond January first, two thou-  
3 sand forty.

4 § 3. This act shall take effect on the ninetieth day after it shall  
5 have become a law and shall apply to all contracts and binding contrac-  
6 tual obligations entered into on and after such effective date.