§ 2878-c. Certain contracts involving personal protective equipment and medical supplies. 1. Notwithstanding any other provisions of law, all contracts over fifty thousand dollars in value made and awarded by any state authority for the purchase of personal protective equipment or medical supplies shall require that the personal protective equipment or medical supply items be produced or made in whole or substantial part in the United States.

2. For purposes of this section:

(a) "personal protective equipment" means all equipment worn to minimize exposure to medical hazards, including gloves, masks, face shields, eye protection, respirators, medical hair and shoe coverings, and disposable gowns and aprons.

(b) "medical supplies" means materials necessary to respond to health emergencies or pandemics, including and without limitation ventilators, medical test kits, and vaccines.

(c) "United States" means the United States, its territories, or possessions.

3. The provisions of this section shall not apply if the head of the state authority purchasing the personal protective equipment or medical supplies, in his or her sole discretion, determines that such provisions would not be in the public interest; that obtaining such personal protective equipment or medical supplies in the United States would increase the cost of the contract by an unreasonable amount; that such personal protective equipment or medical supplies cannot be produced or made in the United States in sufficient and reasonably available quantities and of satisfactory quality or design to meet the state authority's requirements; or that purchasing personal protective equipment or medical supplies manufactured outside of the United States is necessary to avoid a delay in the delivery of critical services that could compromise the public welfare.

4. 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.

5. Subject to the provisions of this section, the department of economic development, in consultation with the office of general services and the division of the budget, shall be authorized to establish rules and regulations for the effective administration of this section.