

HOUSE No. 2691

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act prohibiting certain business dealings with agents of foreign adversaries by the Commonwealth and the Massachusetts Bay Transportation Authority.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>

HOUSE No. 2691

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 2691) of Shawn Dooley and others relative to prohibiting certain business dealings with agents of foreign adversaries by the Commonwealth and the Massachusetts Bay Transportation Authority. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act prohibiting certain business dealings with agents of foreign adversaries by the Commonwealth and the Massachusetts Bay Transportation Authority.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 2 of chapter 30B of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by inserting after the definition of “Minor informalities” the
3 following definition:-

4 “Nonmarket economy country”, a nonmarket economy country as defined in section 771
5 (18) of the Tariff Act of 1930, codified at 19 U.S.C § 1677 (18).

6 SECTION 2. Said chapter 30B is hereby further amended by adding the following
7 section:-

8 Section 24. No procurement, contract, or subcontract shall be made with any vendor or
9 entity that is incorporated in or has manufacturing facilities in the United States that receives
10 support from the government of a country that is identified as a nonmarket economy country.

11 SECTION 3. Section 1 of chapter 161A of the General Laws, as so appearing, is hereby
12 amended by inserting after the definition of “Net operating investment per passenger-mile ratio”
13 the following definition:-

14 “Nonmarket economy country”, a nonmarket economy country as defined in section 771
15 (18) of the Tariff Act of 1930, codified at 19 U.S.C § 1677 (18).

16 SECTION 4. Subsection (f) of section 3 of said chapter 161A is hereby amended by
17 striking out clause (i) and inserting in place thereof the following clause:-

18 (i) for construction, operation and use of any mass transportation facility and equipment
19 held or later acquired by the authority; provided, that any agreement entered into by the authority
20 for the construction or acquisition of mass transportation facilities or equipment of more than
21 \$1,000,000, which is financed in whole or in part from the proceeds of bonds the debt service
22 payments on which are assisted by the commonwealth or made from the dedicated revenue
23 source, shall not become effective until approved by the secretary of transportation; provided,
24 that said secretary shall notify the secretary of administration and finance of any such approval;
25 and provided further, that the secretary of transportation shall not approve any contract or
26 subcontract with any vendor or entity that is incorporated in or has manufacturing facilities in the
27 United States and receives support from the government of a country that is identified as a
28 nonmarket economy country.

29 SECTION 5. This act shall apply to any vendor or entity that is incorporated in or has
30 manufacturing facilities in the United States and receives support from a nonmarket economy
31 country, as defined in this act, that is identified as a nonmarket economy country at the time of
32 the enactment of this act.

33 SECTION 6. No exercise of pending procurements, purchases or purchase options as a
34 result of any agreement or contract made: (i) under chapter 30B or clause (i) of subsection (f) of
35 chapter 161A of the general laws, and (ii) prior to the date of the enactment of this act, shall be
36 executed with a vendor or entity that is incorporated in or has manufacturing facilities in the
37 United States and receives support from a nonmarket economy country, as defined in this act,
38 that is identified as a nonmarket economy country at the time of the enactment of this act.