HB 86 - AS INTRODUCED

2023 SESSION

23-0029
09/04

HOUSE BILL ***86***

AN ACT relative to prohibiting the state from contracting with Chinese government owned or affiliated technology manufacturers.

SPONSORS: Rep. Roy, Rock. 31

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill prohibits the state from entering contracts with Chinese government owned or affiliated technology manufacturers.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to prohibiting the state from contracting with Chinese government owned or affiliated technology manufacturers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Subdivision; Prohibition of State Contracts With Chinese Technology Manufacturers. Amend RSA 21-I by inserting after section 111 the following new subdivision:

Prohibition of State Contracts With Chinese Technology Manufacturers

21-I:112 Definitions. In this subdivision:

I. "Company" means any sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability company, or other entity or business association, including all wholly owned subsidiaries, majority owned subsidiaries, parent companies, or affiliates of such entities or business associations, that exists for the purpose of making profit.

II. "Scrutinized company" means any company owned or operated by the People's Republic of China led by the Chinese Communist Party.

21-I:113 Prohibitions; Penalties

I. A scrutinized company shall not bid on or submit a proposal, directly or indirectly, through a third party, for a contract with any public or private entity that directly or indirectly receives state funding.

II. A state agency shall require a company that submits a bid or proposal for a contract of goods or services to certify that the company is not a scrutinized company.

III. If the department of administrative services determines that a company has submitted a false certification:

(a) The company shall be liable for a civil penalty in an amount equal to either twice the amount of the contract for which a bid or proposal was submitted, or $250,000, whichever is greater.

(b) The state agency or the department of administrative services shall terminate the contract with the company; and

(c) The company shall be ineligible to bid on future state contracts.

2 Effective Date. This act shall take effect 60 days after its passage.