ASSEMBLY, No. 535

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:
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SYNOPSIS

Prohibits any foreign company created under laws of foreign adversary from participating in critical infrastructure.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 5/5/2025)

AN ACT concerning critical infrastructure and supplementing chapter 9 of Appendix A.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. As used in this section:

"Critical infrastructure" means property and equipment owned or used by communication networks, electric generation, transmission, and distribution systems, gas distribution systems, water pipelines, and related support facilities that serve multiple customers and residents, including, but not limited to, real and personal property such as buildings, offices, lines, poles, pipes, structures, and equipment.

“Foreign adversary” means any foreign government determined by the United States Secretary of Commerce to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or the security and safety of United States persons.

b. Notwithstanding any law, rule, or regulation to the contrary, the State of New Jersey, and all agencies or political subdivisions thereof, shall not allow the participation of a foreign company created under the laws of any foreign adversary in the construction, maintenance, or control of any critical infrastructure in this State.

c. This section shall not apply to agreements entered into prior to the enactment date of P.L. , c. (C.) (pending before the Legislature as this bill), except that any agreement that contradicts the provisions of this section shall not be renewed.

2. This act shall take immediately.

STATEMENT

This bill prohibits any foreign company created under the laws of a foreign adversary from participating in critical infrastructure in this State.

The bill defines “foreign adversary” to mean any foreign government determined by the United States Secretary of Commerce to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or the security and safety of United States persons.

Under the bill, the State of New Jersey, and all agencies or political subdivisions thereof, are prohibited from allowing a foreign company created under the laws of a foreign adversary to participate in the construction, maintenance, or control of any critical infrastructure in this State.

Critical infrastructure includes communication networks, electric generation, gas distribution systems, water pipelines, and related support facilities, such as buildings, offices, lines, poles, pipes, structures, and equipment. The State's safety, security, and stability depend on protecting critical infrastructure from foreign adversaries. The disruption of these key services would significantly disrupt the well-being of the people of this State and the functioning of the economy. The involvement of a foreign company created under the laws of a foreign adversary raises substantial security threats, such as cyber-attacks or the intentional disruption of services. Accordingly, to protect against risks posed by foreign adversaries, it is crucial to ensure that only trusted entities control the State's critical infrastructure.