

House Bill 383 (AS PASSED HOUSE AND SENATE)

By: Representatives Carson of the 46<sup>th</sup>, Efstoration of the 104<sup>th</sup>, Cooper of the 43<sup>rd</sup>, Dollar of the 45<sup>th</sup>, Mitchell of the 88<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia  
2 Annotated, relating to general authority, duties, and procedure relative to state purchasing,  
3 so as to prohibit the state from entering into certain contracts with a company unless such  
4 contracts contain a certification that such company does not presently conduct a boycott of  
5 Israel and will not conduct such a boycott for the duration of such contract; to exclude certain  
6 contracts from these requirements; to revise a definition; to provide for related matters; to  
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated,  
11 relating to general authority, duties, and procedure relative to state purchasing, is amended  
12 in Code Section 50-5-85, relating to state prohibited from entering into certain contracts  
13 without certification that boycott of Israel not to be conducted by other party, as follows:

14 "50-5-85.

15 (a) As used in this Code section, the term:

16 (1) 'Boycott of Israel' means engaging in refusals to deal with, terminating business  
17 activities with, or other actions that are intended to limit commercial relations with Israel  
18 ~~or individuals or companies doing business in Israel or in Israeli-controlled territories~~ ,  
19 with Israel, organized under the laws of the State of Israel, or licensed by Israel to do  
20 business in Israel, when such actions are taken:

21 (A) In compliance or adherence to calls for a boycott of Israel other than those boycotts  
22 to which 50 U.S.C. App. Section 2407(c), as it existed on January 1, 2016, applies; or

23 (B) In a manner that discriminates on the basis of nationality, national origin, religion,  
24 or other unreasonable basis that is not founded on a valid business reason.

25 (2) 'Company' means any ~~sole proprietorship~~, organization, association, corporation,  
26 partnership, joint venture, limited partnership, limited liability partnership, limited  
27 liability company, or other entity or business association which employs more than five  
28 persons but excludes individuals and sole proprietorships, including all wholly owned  
29 subsidiaries, majority owned subsidiaries, parent companies, or affiliates of such entities  
30 or business associations, that exists for the purpose of making profit.

31 (b) The state shall not enter into a contract valued at \$100,000.00 or more with ~~an~~  
32 ~~individual or a~~ company if the contract is related to construction or the provision of  
33 services, supplies, or information technology unless the contract includes a written  
34 certification that such ~~individual or~~ company is not currently engaged in, and agrees for the  
35 duration of the contract not to engage in, a boycott of Israel.

36 ~~(c) Subsection (b) of this Code section shall not apply to contracts with a total value of less~~  
37 ~~than \$1,000.00."~~

38 **SECTION 2.**

39 All laws and parts of laws in conflict with this Act are repealed.