

Senate Bill 346

By: Senators Anavitarte of the 31st, Walker III of the 20th, Robertson of the 29th, Harbin of the 16th, Hickman of the 4th 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 of the Department of
3 Administrative Services, so as to prohibit companies owned or operated by Iran to bid on or
4 submit a proposal for a state contract; to provide for definitions; to provide for certifications;
5 to provide penalties for false certifications; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated,
10 relating to general authority, duties, and procedure of the Department of Administrative
11 Services, is amended by adding a new Code section to read as follows:

12 "50-5-84.3.

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

14 (1) 'Company' means any sole proprietorship, organization, association, corporation,
15 partnership, joint venture, limited partnership, limited liability partnership, limited
16 liability company, or other entity or business association, including all wholly owned

17 subsidiaries, majority owned subsidiaries, parent companies, or affiliates of such entities
18 or business associations, that exists for the purpose of making profit.

19 (2) 'Government of Iran' means the Islamic Republic of Iran.

20 (3) 'Scrutinized company' means any company owned or operated by the government of
21 Iran.

22 (b) A scrutinized company shall be ineligible to, and shall not, bid on or submit a proposal
23 for a contract with a state agency for goods or services.

24 (c) A state agency shall require a company that submits a bid or proposal with respect to
25 a contract for goods or services to certify that the company is not a scrutinized company.

26 (d) If the Department of Administrative Services determines that a company has submitted
27 a false certification under subsection (c) of this Code section:

28 (1) The company shall be liable for a civil penalty in an amount that is equal to the
29 greater of \$250,000.00 or twice the amount of the contract for which a bid or proposal
30 was submitted;

31 (2) The state agency or the Department of Administrative Services shall terminate the
32 contract with the company; and

33 (3) The company shall be ineligible to, and shall not, bid on a state contract."

34 **SECTION 2.**

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