

SPONSOR: Richey

This bill establishes the "Procurement Protection Act" and provides definitions for terms such as "Company," "Domicile," "Federally banned corporation," "Foreign adversary," "Foreign adversary company," and "Government of China."

This bill prohibits certain companies, termed as "covered companies," to bid on or submit proposals for contracts with State agencies or political subdivisions for goods or services. This includes State-owned enterprises of foreign adversaries, foreign adversary companies, or federally banned corporations.

This bill specifies that companies offering goods or services manufactured or produced by covered companies are considered covered companies for the purposes of the Act.

This bill requires that companies submitting bids or proposals must certify that they are not covered companies as defined in the Act.

This bill specifies the penalties for false certification. If a company is found to have submitted a false certification, penalties include a civil penalty, termination of the contract, and ineligibility to bid on state contracts for 60 months. However, state agencies may enter into contracts with covered companies if no other reasonable option is available, the contract is pre-approved by the Office of Administration, and not procuring the goods would pose a greater threat to the State.

This bill requires the bidders to disclose any business operations involving contracts with foreign adversaries, State-owned enterprises, or companies domiciled within a foreign adversary in the 24 months before bid submission.

This bill requires companies wishing to bid on military contracts to certify that they have not been involved in business operations with certain entities in the 60 months before bid submission.

This bill requires the Office of Administration to provide State agencies with information on entities disclosed as doing business with foreign adversaries.

This bill also specifies that if the Office of Administration finds that a company has provided a false certification, the penalties include a civil penalty equal to the greater of \$250,000 or twice the contract amount, termination of the contract, and ineligibility to bid on a State contract for 60 months.