

Senate Bill 64

By: Senators Dixon of the 45th, Albers of the 56th, Gooch of the 51st, Robertson of the 29th, Hickman of the 4th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Titles 36 and 50 of the Official Code of Georgia Annotated, relating to local
2 government and state government, respectively, so as to prohibit certain transactions between
3 government entities and certain foreign persons; to prohibit government entities from
4 purchasing or acquiring foreign unmanned aircraft systems; to prohibit the use of state funds
5 in connection with such unmanned aircraft systems; to prohibit government entities from
6 operating such unmanned aircraft systems; to prohibit foreign adversaries from submitting
7 a proposal for a contract with a state agency for goods or services; to revise and provide for
8 definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
12 by adding a new Code section to read as follows:

13 "36-84-2.

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

15 (1) 'Covered foreign entity' means an individual, business entity, or foreign government,

16 or any subsidiary or affiliate thereof, that is:

- 17 (A) Domiciled in the People's Republic of China or the Russian Federation; and
18 (B) Under the influence or control of the government of the People's Republic of China
19 or the Russian Federation.
- 20 (2) 'Local government entity' means any political subdivision of this state or any
21 department, agency, board, commission, or authority of any such political subdivision.
- 22 (3) 'Small unmanned aircraft system' means an unmanned, powered aircraft that:
23 (A) Is operated without the possibility of direct human intervention from within or on
24 the aircraft;
25 (B) Can be expendable or recoverable; and
26 (C) Weighs less than 55 pounds, including the weight of anything attached to or carried
27 by the aircraft.
- 28 (b) No local government entity shall purchase or otherwise acquire a small unmanned
29 aircraft system that is manufactured or assembled by a covered foreign entity.
- 30 (c) No state funds made available to any local government entity shall be used in
31 connection with a small unmanned aircraft system that is manufactured or assembled by
32 a covered foreign entity.
- 33 (d) On or after January 1, 2026, no local government entity shall operate a small
34 unmanned aircraft system that is manufactured or assembled by a covered foreign entity."

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SECTION 2.

36 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
37 by revising Code Section 50-5-84.2, relating to contracting with companies owned by China,
38 as follows:

39 "50-5-84.2.

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

41 (1) 'Company' means any sole proprietorship, organization, association, corporation,
42 partnership, joint venture, limited partnership, limited liability partnership, limited

43 liability company, or other entity or business association, including all wholly owned
 44 subsidiaries, majority owned subsidiaries, or parent companies, ~~or affiliates~~ of such
 45 entities or business associations, that exists for the purpose of making profit.

46 (2) 'Company of concern' means a company in which the government of China has an
 47 ownership stake.

48 (3) 'Foreign adversary' means the:

49 (A) Republic of Cuba (Cuba);

50 (B) Islamic Republic of Iran (Iran);

51 (C) Democratic People's Republic of Korea (North Korea);

52 (D) Russian Federation (Russia); and

53 (E) Venezuelan politician Nicolás Maduro (Maduro Regime).

54 (4) 'Government of China' means the People's Republic of China led by the Chinese
 55 Communist Party.

56 ~~(3)~~(5) 'Scrutinized company' means any company owned or operated by the government
 57 of China a foreign adversary.

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

60 (c) A company of concern shall be ineligible to, and shall not, bid on or submit a proposal
 61 for a contract, directly or through a third-party seller, with a state agency for goods or
 62 services, including, but not limited to, a contract for the procurement or purchase of
 63 computers, printers, connecting cables, or interoperable videoconferencing services used
 64 in connection with an office environment.

65 (d) A state agency shall require a company that submits a bid or proposal with respect to
 66 a contract for goods or services to certify that the company is not a scrutinized company
 67 or a company of concern.

68 ~~(d)~~(e) If the Department of Administrative Services determines that a company has
 69 submitted a false certification under subsection ~~(e)~~ (d) of this Code section:

- 70 (1) The company shall be liable for a civil penalty in an amount that is equal to the
71 greater of \$250,000.00 or twice the amount of the contract for which a bid or proposal
72 was submitted;
- 73 (2) The state agency or the Department of Administrative Services shall terminate the
74 contract with the company; and
- 75 (3) The company shall be ineligible to, and shall not, bid on a state contract."

76 **SECTION 3.**

77 Said title is further amended by adding new Code section to read as follows:

78 "50-5-84.3.

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

80 (1) 'Covered foreign entity' means an individual, business entity, or foreign government,
81 or any subsidiary or affiliate thereof, that is:

82 (A) Domiciled in the People's Republic of China or the Russian Federation; and

83 (B) Under the influence or control of the government of the People's Republic of China
84 or the Russian Federation.

85 (2) 'Small unmanned aircraft system' means an unmanned, powered aircraft that:

86 (A) Is operated without the possibility of direct human intervention from within or on
87 the aircraft;

88 (B) Can be expendable or recoverable; and

89 (C) Weighs less than 55 pounds, including the weight of anything attached to or carried
90 by the aircraft.

91 (3) 'State agency' means a department, agency, board, commission, or authority of state
92 government.

93 (b) No state agency shall purchase or otherwise acquire a small unmanned aircraft system
94 that is manufactured or assembled by a covered foreign entity.

95 (c) No state funds made available to any state agency shall be used in connection with a
96 small unmanned aircraft system that is manufactured or assembled by a covered foreign
97 entity.

98 (d) On or after January 1, 2026, no state agency shall operate a small unmanned aircraft
99 system that is manufactured or assembled by a covered foreign entity."

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SECTION 4.

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