

Senate Bill 103

By: Senators Anavitarte of the 31st, Gooch of the 51st, Robertson of the 29th, Cowsert of the 46th, Strickland of the 42nd 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.