

The Senate Committee on Economic Development and Tourism offered the following substitute to HB 14:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,
2 so as to prohibit companies owned or operated by a foreign country of concern from
3 submitting a proposal for a contract with a state agency for goods or services; to enact the
4 "Georgia Music Office and Music Ready Communities Act"; to create the Georgia Music
5 Office; to provide for administration of the office; to provide for duties of the office; to
6 provide for the adoption and promulgation of rules and regulations; to provide for an
7 appropriations contingency; to provide for definitions; to provide for related matters; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **PART I**
11 **SECTION 1-1.**

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

15 "50-5-84.2.

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

17 (1) 'Company' means any sole proprietorship, organization, association, corporation,
18 partnership, joint venture, limited partnership, limited liability partnership, limited
19 liability company, or other entity or business association, including all wholly owned
20 subsidiaries, majority owned subsidiaries, or parent companies,~~or affiliates~~ of such
21 entities or business associations, that exists for the purpose of making profit.

22 (2) 'Foreign country of concern' means a country whose government is designated as a
23 foreign adversary by the United States Secretary of Commerce pursuant to 15 C.F.R.
24 Section 7.4 as of January 1, 2025.

25 ~~(2)~~(3) 'Government of China' means the People's Republic of China led by the Chinese
26 Communist Party.

27 ~~(3)~~(4) 'Scrutinized company' means any company owned or operated by the government
28 of China or a foreign country of concern or any company in which the government of
29 China or a foreign country of concern has an ownership stake.

30 (b) A scrutinized company shall be ineligible to, and shall not, bid on or submit a proposal
31 for a contract, directly or through a third-party seller, with a state agency for goods or
32 services, including, but not limited to, a contract for the procurement or purchase of
33 computers, printers, connecting cables, or interoperable videoconferencing services used
34 in connection with an office environment.

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

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

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

- 42 (2) The state agency or the Department of Administrative Services shall terminate the
 43 contract with the company; and
 44 (3) The company shall be ineligible to, and shall not, bid on a state contract."

45 **PART II**

46 **SECTION 2-1.**

47 This part shall be known and may be cited as the "Georgia Music Office and Music Ready
 48 Communities Act."

49 **SECTION 2-2.**

50 Said title is amended in Chapter 8, relating to the Department of Community Affairs, by
 51 adding a new article to read as follows:

52 "ARTICLE 14

53 50-8-310.

54 As used in this article, the term:

55 (1) 'Commissioner' means the commissioner of community affairs.

56 (2) 'Coordinate' means to issue rules, policies, standards, definitions, specifications, and
 57 other guidance.

58 (3) 'Department' means the Department of Community Affairs.

59 (4) 'Director' means the director of the office.

60 (5) 'Implementation' means planning, writing, drafting, designing, studying, and
 61 conducting market analysis; soliciting and accepting gifts, contributions, and cooperation;
 62 contracting, procurement, retention of consultants, and outsourcing; and other activities
 63 within the ordinary meaning of the term in this context.

64 (6) 'Marketing' means promoting, advertising, public relations, press relations, and
65 branding; creation, use, and licensing of trademark, copyright, and other intellectual
66 property; and other activities of a similar nature or within the term as it is commonly
67 understood.

68 (7) 'Office' means the Georgia Music Office.

69 50-8-311.

70 (a) There is established the Georgia Music Office to facilitate the growth of Georgia's
71 music industry in communities across this state through state-wide support, promotion, and
72 cultivation of Georgia's rich music heritage, musicians, and vibrant music industry.

73 (b) The commissioner shall select a director to lead the office. In selecting the director,
74 consideration shall be given to individuals who possess extensive knowledge of the many
75 aspects of the music industry, including, but not limited to, live touring, recording, and
76 distribution, and who possess at least five years of experience in the music industry. The
77 commissioner shall appoint personnel within the department to administer functions of the
78 office.

79 (c) The office shall:

80 (1) Promote the growing production of music in this state, the enjoyment and
81 appreciation of the Georgia music industry, and the benefits of visiting and viewing the
82 diverse music productions in this state;

83 (2) Serve as a music business promotion office and information clearing-house for the
84 Georgia music industry through the implementation of a strategic business development
85 plan to help music industry professionals and businesses relocate to this state by
86 providing resources and acting as a conduit for music related economic and community
87 development;

- 88 (3) Coordinate and market specific programs and initiatives to attract music industry
89 professionals and to foster the economic and community development of Georgia music
90 businesses and musicians;
- 91 (4) Assist in growing Georgia's music industry by providing music industry professionals
92 with production contacts in this state; suggesting possible performing, publishing, and
93 recording locations; and other activities as may be required to promote this state as a
94 national music center;
- 95 (5) Serve as a liaison between music businesses and governmental offices and agencies,
96 including workforce development, education, and tourism;
- 97 (6) Publicize significant developments within the industry;
- 98 (7) Develop and market listings of music festivals, productions, and other music events
99 being held throughout this state;
- 100 (8) Publicize and market this state's music heritage and culture;
- 101 (9) Facilitate the expansion of the music industry in this state; and
- 102 (10) Certify cities and counties as Music Friendly Georgia Certified Communities. Each
103 city and county seeking such certification shall be required to host a Music Friendly
104 Georgia workshop to educate local leaders and stakeholders on the office's functions.
105 Upon being certified, such cities and counties shall form an advisory board of local music
106 industry stakeholders to promote music related economic development in their
107 communities and appoint a Music Friendly Georgia Certified Liaison to liaise with the
108 office.
- 109 (d) The office shall be assigned to the department for administrative purposes only, as
110 prescribed in Code Section 50-4-3.

111 50-8-312.

112 (a) Subject to appropriations by the General Assembly or other available funding, the
113 department is authorized to adopt and promulgate such rules and regulations as may be
114 necessary to carry out this article.

115 (b) In its marketing and implementation of marketing for Georgia's music industry, the
116 department may exercise its powers under paragraphs (2) and (6) of subsection (b) of Code
117 Section 50-8-8 and may authorize and delegate to the office all or part of such powers for
118 its own implementation."

119

PART III

120

SECTION 3-1.

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