

The House Committee on Technology and Infrastructure Innovation offers the following substitute to SB 177:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to
2 government transparency and campaign finance, so as to provide for transparency in foreign
3 funded political activities within the state; to require agents of hostile foreign principals and
4 foreign supported political organizations to register with the State Ethics Commission; to
5 provide for registration requirements; to provide for definitions; to provide legislative
6 findings; to provide for civil penalties; to authorize the Attorney General to bring civil
7 actions or criminal investigations for violations; to provide for applicability; to provide for
8 related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to government
12 transparency and campaign finance, is amended by adding a new article to read as follows:

13 "ARTICLE 514 21-5-90.15 The General Assembly finds:16 (1) That the voters, citizens, and policymakers of Georgia are entitled to transparency in
17 the political and propaganda activities of organizations that may be controlled by or under
18 the influence of foreign countries hostile to the interests of the United States and the State
19 of Georgia;20 (2) That, in an increasingly globalized world, determining whether an organization's
21 political and propaganda activities are funded by hostile foreign interests is often
22 difficult; and23 (3) That legislation is needed to ensure the transparency necessary to allow voters,
24 citizens, and policymakers to evaluate whether political and propaganda activities are
25 funded by potentially hostile foreign actors.26 21-5-91.27 As used in this article, the term:28 (1) 'Agent of a hostile foreign principal' means any person who acts as an agent,
29 employee, representative, or servant, or otherwise acts at the order, request, or under the
30 direction or control of a hostile foreign principal:31 (A) Whose actions are financed in whole or in part by a hostile foreign principal; and32 (B) Who engages in political activity.33 (2) 'Control' means the power, direct or indirect, whether or not exercised, to determine,
34 direct, dictate, or decide important matters affecting an entity, including but without
35 limitation, through:36 (A) The ownership of at least 20 percent of the total outstanding voting interest in an
37 entity;

- 38 (B) Board representation;
39 (C) The ability to appoint or discharge any board members, officers, directors,
40 employees, or contractors;
41 (D) Proxy voting, a special share, contractual arrangements, legal obligations, or
42 formal or informal arrangements to act in concert; or
43 (E) Other means, including but not limited to golden shares, classes or shares of stock
44 or equity that grant the holder superior authority to direct the company's affairs or
45 increased voting rights over other shareholders, operating agreements, bylaws, and
46 customary or written law, whether disclosed or undisclosed.
- 47 (3) 'Foreign supported political organization' means a political organization or
48 partnership, committee, association, corporation, limited liability company, limited
49 liability partnership, trust, professional corporation, or any other combination of persons
50 that has, within the past five calendar years, received money or other things of value from
51 a hostile foreign principal or an agent of a hostile foreign principal and which engages
52 in political activity; provided, however, notwithstanding any other provision of this
53 article to the contrary, the following shall not be deemed to be a foreign supported
54 political organization:
- 55 (A) An industry, trade, or other professional association that exists to promote the
56 interests of its members, or any affiliated organization; or
57 (B) A membership organization formed on or before January 1, 1950, that advocates
58 on behalf of the common goals or interests of its members on matters of public policy,
59 or any affiliated organization.
- 60 (4) 'Hostile foreign country' means:
61 (A) The Democratic People's Republic of Korea;
62 (B) The Islamic Republic of Iran;
63 (C) The People's Republic of China; or
64 (D) The Russian Federation.

65 (5) 'Hostile foreign principal' means:

66 (A) A government of a hostile foreign country, a political party of a hostile foreign
67 country, or any member of a political party, body, or organization of a hostile foreign
68 country;

69 (B) A nonresident alien of a hostile foreign country;

70 (C) A partnership, committee, association, corporation, limited liability company,
71 limited liability partnership, trust, professional corporation, or any other combination
72 of persons organized under the law of or having its principal place of business in a
73 hostile foreign country; or

74 (D) A partnership, committee, association, corporation, limited liability company,
75 limited liability partnership, trust, professional corporation, or any other combination
76 of persons that is subject to the control of a hostile foreign government, a nonresident
77 alien of a hostile foreign country, or an entity organized under the laws of or having its
78 principal place of business in a hostile foreign country.

79 (6) 'Political activity' means any activity that is performed to influence any agency or
80 public official of the State of Georgia, any local government entity within the state, or to
81 influence the public within the state, with reference to formulating, adopting, or changing
82 the policies or laws of the state or electing or opposing a candidate for local or state
83 public office.

84 21-5-92.

85 (a) No person shall act as an agent of a hostile foreign principal unless he or she has filed
86 with the commission a true and complete registration statement and supplements thereto
87 as required by this Code section or unless he or she is exempt from registration under the
88 provisions of this Code section. Except as hereinafter provided, every person who becomes
89 an agent of a hostile foreign principal shall, within ten days thereafter, file with the
90 commission a registration statement, under oath, on a form prescribed by the commission.

91 The obligation of an agent of a hostile foreign principal to file a registration statement
92 shall, after the tenth day of his or her becoming such agent, continue from day to day, and
93 termination of such status shall not relieve such agent from his or her obligation to file a
94 registration statement for the period during which he or she was an agent of a hostile
95 foreign principal. The registration statement shall include the following, which shall be
96 regarded as material for the purposes of this Code section:

97 (1) Registrant's name, principal business address, and all other business addresses in the
98 United States or elsewhere, and all residence addresses, if any;

99 (2) Status of the registrant:

100 (A) If an individual, his or her nationality;

101 (B) If a partnership, the name, residence addresses, and nationality of each partner, as
102 well as a true and complete copy of its articles of copartnership; and

103 (C) If an association, corporation, organization, or any other combination of
104 individuals or entities, the name, residence addresses, and nationality of each director
105 and officer and of each person performing the functions of a director or officer and a
106 true and complete copy of its charter, articles of incorporation, association, constitution,
107 and bylaws and amendments thereto; a copy of every other instrument or document and
108 a statement of the terms and conditions of every oral agreement relating to its
109 organization, powers, and purposes, and a statement of its ownership and control;

110 (3) A comprehensive statement of the nature of the registrant's business, including a
111 complete list of the registrant's employees;

112 (4) A statement of the nature of the work of each hostile foreign principal for whom the
113 registrant is acting, assuming or purporting to act, or has agreed to act, and the character
114 of the business or other activities of every such hostile foreign principal. If any such
115 hostile foreign principal is an entity other than a natural person, such statement shall also
116 detail the ownership and control to which each such hostile foreign principal is
117 supervised, directed, owned, controlled, financed, or subsidized, in whole or in part, by

118 any government of a foreign country or foreign political party, or by any other hostile
119 foreign principal;

120 (5) The nature and amount of contributions, income, money, or thing of value, if any,
121 that the registrant has received within the preceding 60 days from each such hostile
122 foreign principal, either as compensation or for disbursement or otherwise, and the form
123 and time of each such payment and from whom received;

124 (6) A detailed statement of every activity which the registrant is performing or is
125 assuming or purporting or has agreed to perform for himself or herself or any other
126 person other than a hostile foreign principal and which requires his registration
127 hereunder;

128 (7) The name, business, and residence addresses, and if an individual, the nationality, of
129 any person other than a hostile foreign principal for whom the registrant is acting,
130 assuming or purporting to act, or has agreed to act under such circumstances as require
131 his or her registration hereunder;

132 (8) The nature and amount of contributions, income, money, or thing of value, if any,
133 that the registrant has received during the preceding 60 days from each such person in
134 connection with any of the activities referred to in paragraph (6) of this subsection;

135 (9) A detailed statement of the money and other things of value spent or disposed of by
136 the registrant during the preceding 60 days in furtherance of or in connection with
137 activities which require the registrant's registration hereunder and which have been
138 undertaken by the registrant either as an agent of a hostile foreign principal or for himself
139 or herself or any other person or in connection with any activities relating to the registrant
140 becoming an agent of such principal;

141 (10) A detailed statement of any contributions of money or other things of value made
142 by the registrant during the preceding 60 days to bring about the nomination or election
143 of a candidate for any office, to bring about the recall of a public officer holding elective
144 office, to oppose the recall of a public officer holding elective office, to bring about the

145 approval or rejection by the voters of any proposed constitutional amendment, a
146 state-wide referendum, or a proposed question which is to appear on the ballot in this
147 state or in a county or a municipal election in this state; and

148 (11) Such other statements, information, or documents pertinent to the purposes of this
149 Code section as the commission may from time to time require.

150 (b) Every agent of a hostile foreign principal who has filed a registration statement
151 required by subsection (a) of this Code section shall file with the commission by
152 January 31, April 30, July 31, and October 20 of each calendar year a supplement thereto,
153 under oath, on a form prescribed by the commission, which shall set forth with respect to
154 such preceding reporting period such facts as the commission may deem necessary to make
155 the information required under subsection (a) of this Code section accurate, complete, and
156 current with respect to such period.

157 (c) An agent of a hostile foreign principal shall update the information required by
158 subsection (b) of this Code section with the commission by January 31, April 30, July 31,
159 and October 20 of each calendar year.

160 (d) The registration statement shall be executed under oath as follows:

161 (1) If the registrant is an individual, by him or her;

162 (2) If the registrant is a partnership, by the majority of the members thereof; and

163 (3) If the registrant is a person other than an individual or a partnership, by a majority
164 of the officers thereof or persons performing the functions of officers or by a majority of
165 the board of directors thereof or persons performing the functions of directors, if any.

166 (e) A registration statement or supplement required to be filed under this Code section
167 shall be filed in electronic form, in addition to any other form that may be required by the
168 commission.

169 21-5-93.

170 (a) No later than December 31 of each year, each foreign supported political organization
171 operating within the state shall register with the commission and provide the following
172 information:

173 (1) The name of the organization, its business address, and the names, titles, and
174 addresses of all officers and directors of the organization;

175 (2) If the organization is affiliated with or a chapter of a national organization, the name
176 of the national organization, its address, and the names and addresses of its officers and
177 directors;

178 (3) A detailed statement of the money and other things of value spent or disposed of by
179 the foreign supported political organization during the preceding calendar year in
180 furtherance of or in connection with activities to influence any agency or public official,
181 local government entity, or the public of or within the State of Georgia, including, but not
182 limited to, activities related to formulating, adopting, or changing the policies or laws of
183 this state or electing a candidate to local or state public office;

184 (4) A detailed statement of any expenditures of money or other things of value made by
185 the organization within the prior calendar year; and

186 (5) A detailed statement of all money or other things of value received by the
187 organization from a hostile foreign principal or an agent of a hostile foreign principal
188 during the preceding calendar year.

189 (b) A registered foreign supported political organization shall update the information
190 required by subsection (a) of this Code section with the commission by January 31,
191 April 30, July 31, and October 20 of each calendar year.

192 21-5-94.

193 (a) Upon receipt of a complaint that an agent of a hostile foreign principal or a foreign
194 supported political organization has failed to comply with the registration and reporting

195 requirements of this article, or upon its own determination, the commission shall have
196 authority to investigate and to assess penalties for the violation of this article.

197 (b) The commission may assess civil penalties of up to \$10,000.00 for each violation of
198 this article; provided, however, that, if the commission finds that any such violation was
199 willful or a repeat violation of this article, such civil penalties shall be not less
200 than \$10,000.00 nor more than \$200,000.00 per such violation.

201 (c) Upon complaint by the commission, or upon the Attorney General's own initiative,
202 after examination of the complaint and evidence, if the Attorney General believes a
203 violation of any provision of this article has occurred, the Attorney General shall:

204 (1) Bring an action in the superior court in the name of the commission for a temporary
205 restraining order or other injunctive relief or for civil penalties; or

206 (2) Initiate a criminal investigation.

207 21-5-95.

208 This article shall not apply to any entities that are the subject of, or covered by, a qualified
209 divestiture under the federal Protecting Americans from Foreign Adversary Controlled
210 Applications Act, Public Law 118-50, 138 Stat. 955, including but not limited to any entity
211 referenced in Executive Order 14352 that was proclaimed by the President of the United
212 States on September 25, 2025."

213 **SECTION 2.**

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