

The House Committee on Rules 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
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

"ARTICLE 5

21-5-90.

The General Assembly finds:

- (1) That the voters, citizens, and policymakers of Georgia are entitled to transparency in the political and propaganda activities of organizations that may be controlled by or under the influence of foreign countries hostile to the interests of the United States and the State of Georgia;
- (2) That, in an increasingly globalized world, determining whether an organization's political and propaganda activities are funded by hostile foreign interests is often difficult; and
- (3) That legislation is needed to ensure the transparency necessary to allow voters, citizens, and policymakers to evaluate whether political and propaganda activities are funded by potentially hostile foreign actors.

21-5-91.

As used in this article, the term:

- (1) 'Agent of a hostile foreign principal' means any person who acts as an agent, employee, representative, or servant, or otherwise acts at the order, request, or under the direction or control of a hostile foreign principal:
 - (A) Whose actions are financed in whole or in part by a hostile foreign principal; and
 - (B) Who engages in political activity.
- (2) 'Control' means the power, direct or indirect, whether or not exercised, to determine, direct, dictate, or decide important matters affecting an entity, including but without limitation, through:
 - (A) The ownership of at least 20 percent of the total outstanding voting interest in an 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 a contribution or donation of money
51 or other thing of value from a hostile foreign principal or an agent of a hostile foreign
52 principal and which engages in political activity; provided, however, notwithstanding any
53 other provision of this article to the contrary, the following shall not be deemed to be a
54 foreign supported 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 a country whose government is designated as a
61 foreign adversary by the United States Secretary of Commerce pursuant to 15 C.F.R.
62 Section 7.4.
- 63 (5) 'Hostile foreign principal' means:

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

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

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

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

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

82 21-5-92.

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

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

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

97 (2) Status of the registrant:

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

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

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

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

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

116 any government of a foreign country or foreign political party, or by any other hostile
117 foreign principal;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

167 21-5-93.

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

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

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

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

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

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

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

190 21-5-94.

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

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

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

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

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

204 (2) Initiate a criminal investigation.

205 21-5-95.

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

211 **SECTION 2.**

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