

Senate Bill 502

By: Senators Dixon of the 45th, Hatchett of the 50th, Anavitarte of the 31st, Albers of the 56th and Beach of the 21st

**AS PASSED SENATE**

**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 expand a prohibition on certain companies bidding on or  
4 submitting a proposal for a state contract to include all companies owned or operated by  
5 foreign adversaries; to prohibit state agencies from contracting for advertising or marketing  
6 services with certain companies or from supporting certain companies; to provide for  
7 definitions; to provide for certifications; to provide for exceptions; to provide for related  
8 matters; to repeal conflicting laws; and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated,  
12 relating to general authority, duties, and procedure of the Department of Administrative  
13 Services, is amended by revising paragraphs (2) and (3) of subsection (a) of Code Section  
14 50-5-84.2, relating to contracting with companies owned by China, as follows:

15 ~~"(2) 'Government of China' means the People's Republic of China led by the Chinese~~  
16 ~~Communist Party~~ 'Foreign adversary' means:

- 17 (A) The People’s Republic of China, including the Hong Kong Special Administrative  
18 Region (China);  
19 (B) Republic of Cuba (Cuba)  
20 (C) Islamic Republic of Iran (Iran);  
21 (D) Democratic People’s Republic of Korea (North Korea);  
22 (E) Russian Federation (Russia); and  
23 (F) Venezuelan politician Nicolás Maduro (Maduro Regime).  
24 (3) 'Scrutinized company' means any company owned or operated by ~~the government of~~  
25 ~~China~~ a foreign adversary."

26 **SECTION 2.**

27 Said part is further amended by adding a new Code section to read as follows:

28 "50-5-86.

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

30 (1) 'Agency' means any entity of this state, including any department, agency, division,  
31 council, bureau, board, commission, public corporation, or authority; provided, however,  
32 that such term shall not mean a political subdivision of this state.

33 (2) 'Company' means any sole proprietorship, organization, association, corporation,  
34 partnership, joint venture, limited partnership, limited liability partnership, limited  
35 liability company, or other entity or business association, including all wholly owned  
36 subsidiaries, majority owned subsidiaries, parent companies, or affiliates of such entities  
37 or business associations that exist for the purpose of making a profit or are nonprofit  
38 entities.

39 (3) 'Media monitoring organization' means any company the function of which is to:

40 (A) Rate or rank news and information sources for the factual accuracy of their  
41 content, whether published online, in print, by audio, or digitally, or by broadcasting

42 via radio, television, cable, streaming service, or any other ways news is delivered to  
43 the public; or

44 (B) Provide ratings or an opinion on news sources regarding misinformation, bias,  
45 adherence to journalistic standards, or ethics, including, but not limited to,  
46 organizations that claim to engage in fact checking;

47 The term ‘media monitoring organization’ does not include organizations that do not  
48 engage in the activities described in subparagraph (A) or (B) of this paragraph; that rate  
49 media outlets for audience size, viewership, and demographic information; or that  
50 monitor media outlets for the purposes of compiling press or video clippings or  
51 aggregating news sources for the purposes of public relations and public awareness.

52 (b) No agency shall:

53 (1) Enter into any contract or other agreement with a media monitoring organization or  
54 with any advertising or marketing agency that utilizes the services of a media monitoring  
55 organization; or

56 (2) Provide support of any form, other than nondiscretionary actions otherwise required  
57 by law, to a media monitoring organization.

58 (c)(1) An agency shall require a company that submits a bid or proposal with respect to  
59 a contract for advertising services to certify that the company is in compliance with  
60 paragraph (1) of subsection (b) of this Code section.

61 (2) An agency, prior to extending, renewing, or otherwise changing or modifying an  
62 agreement or contract for advertising or marketing services in effect on the effective date  
63 of this Code section, shall obtain from the contractor a certification that the contractor is  
64 in compliance with paragraph (1) of subsection (b) of this Code section.

65 (3) Nothing in this subsection shall prevent an agency from contracting for services  
66 which aggregate news articles and information relevant to the agency or its constituents  
67 or prevent a company from providing analytical information on the performance of  
68 advertisements placed by an agency.”

69

**SECTION 3.**

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