

04 LC 21 7594

House Bill 1281

By: Representatives Thompson of the 69th, Post 1, Howell of the 92nd, Moraitakis of the 42nd, Post 4, Crawford of the 91st, Noel of the 44th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 4 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to the organization of the executive branch, so as to provide that no state agency shall enter into a contract with a private entity for the provision of services if any such services will be performed outside the geographical boundaries of the United States; to provide for a written statement; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 4 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to the organization of the executive branch, is amended by inserting at the end thereof the following:

"50-4-8.

No contract between a state agency and a private provider or vendor for the provision of all or part of any governmental services provided by the agency or for the provision of any services to the agency shall be entered into if any such services will be performed outside the boundaries of the United States. If at any time during the performance of a contract the private contracting party uses any services which are performed outside the boundaries of the United States, such private contracting party shall be liable to the state agency for damages in an amount equal to the contract value of such services. Each such contract entered into on or after July 1, 2004, shall contain a provision requiring compliance with the provisions of this Code section and providing that a breach of such provision, at the election of the agency, shall constitute a breach of the contract. In the event an agency brings an action in any court to enforce such provisions, it shall be entitled to a reasonable attorney's fee in addition to any other damages."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed