

~~(c) IN ANY PROCUREMENT THAT INCLUDES BIDDERS OR OFFERORS WHO ARE ON THE APARTHEID LIST, THE STATE AGENCY MAY AWARD THE CONTRACT TO A PERSON ON THE APARTHEID LIST ONLY IF THERE IS NO COMPARABLE LOW BID OR OFFER BY A PERSON WHO IS NOT ON THE APARTHEID LIST.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 17, 1986.~~

(B) (1) "DOING BUSINESS WITH OR IN SOUTH AFRICA" MEANS:

(I) HAVING ANY OPERATIONS OR A MAJORITY OWNED SUBSIDIARY IN THE REPUBLIC OF SOUTH AFRICA THAT EMPLOYS MORE THAN 20 EMPLOYEES;

(II) PROVIDING FINANCIAL SERVICES TO THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA, INCLUDING PROVIDING DIRECT LOANS, UNDERWRITING GOVERNMENT SECURITIES, OR PROMOTING THE SALE OF GOLD COINS FROM SOUTH AFRICA; OR

(III) PROVIDING ANY SUPPLIES OR SERVICES TO THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA EXCEPT SUPPLIES OR SERVICES PROVIDED FOR AN EDUCATIONAL, MEDICAL, CHARITABLE, OR RELIGIOUS PURPOSE.

(2) "DOING BUSINESS WITH OR IN SOUTH AFRICA" DOES NOT INCLUDE COMPANIES OR PERSONS WHO MAINTAIN A CONSULTING CONTRACT WHO ARE COMPLETING A LIMITED CONSULTING CONTRACT IN EXISTENCE ON THE DATE OF ENACTMENT OF THIS SUBTITLE IN SOUTH AFRICA THAT WAS ENTERED INTO AS A RESULT OF THE COMPANY DIVESTING ITSELF OF ALL BUSINESS PROPERTY AND OPERATIONS IN SOUTH AFRICA.

18-902.

(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A STATE AGENCY MAY NOT KNOWINGLY PROCURE ANY FINISHED SUPPLIES THAT ARE PRODUCED OR MANUFACTURED IN THE REPUBLIC OF SOUTH AFRICA.

(B) A STATE AGENCY MAY PROCURE FINISHED SUPPLIES PRODUCED OR MANUFACTURED IN THE REPUBLIC OF SOUTH AFRICA IF:

(1) A CERTIFICATION UNDER § 18-903(A) OF THIS SUBTITLE IS PROVIDED; OR

(2) THE AGENCY HEAD DETERMINES IN WRITING THAT:

(I) THE PROCUREMENT IS ESSENTIAL; AND

(II) THERE IS NO OTHER AVAILABLE SOURCE KNOWN TO THE STATE AGENCY THAT WILL PROVIDE THE SUPPLIES AT A REASONABLE COST.

18-903.