

The Iran Divestment Act

TCA §12-12-101 et. seq.

State of Tennessee

The Iran Divestment Act requires the state's chief procurement officer to publish and keep updated a list of persons and entities it determines engage in investment activities in Iran ([https://www.tn.gov/content/dam/tn/generalservices/documents/cpo/other/list-of-persons-pursuant-to-tenn-code-iran-divestment/List of persons pursuant to Tenn. Code Ann. 12-12-106 Iran Divestment Act updated with NY04.15.20.pdf](https://www.tn.gov/content/dam/tn/generalservices/documents/cpo/other/list-of-persons-pursuant-to-tenn-code-iran-divestment/List_of_persons_pursuant_to_Tenn_Code_Ann_12-12-106_Iran_Divestment_Act_updated_with_NY04.15.20.pdf)). Those who are included on this list are ineligible to contract with the state or any political subdivision. All bids and proposals submitted to political subdivisions must contain the bidder's sworn statement under the penalties of perjury:

“By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to TCA §12-12-106.”

The affirmation by each bidder may be submitted electronically. Bids cannot be considered nor awards made to anyone without the required statement.

See documents on CHA website, www.chahousing.org, under “Doing Business” for additional information.

COMPANY NAME: _____

SUBMITTED BY: _____ Date: _____
(Signature)

NAME & TITLE: _____



NOTICE

Tenn. Code Ann. § 12-12-106 requires the chief procurement officer to publish, using credible information freely available to the public, a list of persons it determines engage in investment activities in Iran, as described in § 12-12-105.

For these purposes, the State intends to use the attached list of “Entities determined to be non-responsive bidders/offerers pursuant to the New York State Iran Divestment Act of 2012.”

While inclusion on this list would make a person ineligible to contract with the state of Tennessee, if a person ceases its engagement in investment activities in Iran, it may be removed from the list.

If you feel as though you have been erroneously included on this list please contact the Central Procurement Office at CPO.Website@tn.gov.

List Date: April 15, 2020

Source: <https://www.ogs.ny.gov/iran-divestment-act-2012>

1. Ak Makina, Ltd.
2. Amona
3. Bank Markazi Iran (Central Bank of Iran)
4. Bank Mellat
5. Bank Melli Iran
6. Bank Saderat Iran
7. Bank Sepah
8. Bank Tejarat
9. China Precision Machinery Import- Export Corporation (CPMIEC)
10. ChinaOil (China National United Oil Corporation)
11. China National Offshore Oil Corporation (CNOOC)
12. China National Petroleum Corporation (CNPC)
13. Indian Oil Corporation
14. Kingdream PLC
15. Naftiran Intertrade Co. (NICO)
16. National Iranian Tanker Co. (NITC)
17. Oil and Natural Gas Corporation (ONGC)
18. Oil India, Ltd.
19. Persia International Bank
20. Petroleos de Venezuela (PDVSA Petróleo, SA)
21. PetroChina Co., Ltd.
22. Petronet LNG, Ltd.
23. Sameh Afzar Tajak Co. (SATCO)
24. Shandong FIN CNC Machine Co., Ltd.
25. Sinohydro Co., Ltd.
26. Sinopec Corp. (China Petroleum & Chemical Corporation)
27. SKS Ventures
28. SK Energy Co., Ltd.
29. Som Petrol AS
30. Unipet (China International United Petroleum & Chemicals Co., Ltd.)
31. Zhuhai Zhenrong Co.

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Tenn. Code Ann. § 12-12-103 (Copy w/ Cite)

Tenn. Code Ann. § 12-12-103

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*** Current through 2017 Regular Session (Chapter 493) ***

Title 12 Public Property, Printing And Contracts
Chapter 12 Iran Divestment Act

Tenn. Code Ann. § 12-12-103 (2017)

12-12-103. Chapter definitions.

As used in this chapter:

- (1) "Energy sector of Iran" means activities to develop petroleum or natural gas resources or nuclear power in Iran;
- (2) "Financial institution" means the term as used in Section 14 of the Iran and Libya Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. § 1701 note);
- (3) "Investment" means a commitment or contribution of funds or property, whatever the source, a loan or other extension of credit, and the entry into or renewal of goods or services. "Investment" does not include indirect beneficial ownership through index funds, commingled funds, limited partnerships, derivative instruments, or
- (4) "Iran" includes the government of Iran and any agency or instrumentality of Iran;
- (5) "Person" means any of the following:
 - (A) A natural person, corporation, company, limited liability company, business association, partnership, society, trust, or any other nongovernmental entity, or
 - (B) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Institutions Act (22 U.S.C. § 262(c)(3)); or
 - (C) Any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subdivisions (5)(A) and
- (6) "State agency" means each state board, commission, department, executive department or office, institution, and instrumentality.

HISTORY: Acts 2016, ch. 817, § 1.

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*** Current through 2017 Regular Session (Chapter 493). ***

Title 12: Public Property, Printing And Contracts
Chapter 12: Iran Divestment Act

Tenn. Code Ann. § 12-12-105 (2017)

12-12-105. Engagement in investment activities in Iran.

For purposes of this chapter, a person engages in investment activities in Iran if:

(1) The person provides goods or services of twenty million dollars (\$20,000,000) or more in the energy sector of Iran, including a person that provides oil or liquefied tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or

(2) The person is a financial institution that extends twenty million dollars (\$20,000,000) or more in credit to another person, for forty-five (45) days or more, if the credit is to provide goods or services in the energy sector in Iran and is identified on a list, created pursuant to § 12-12-106, as a person engaging in investment activities in this section.

HISTORY: Acts 2016, ch. 817, § 1.

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Tenn. Code Ann. § 12-12-105 (Copy w/ Cite)

12-12-106. List of persons engaging in investment activities in Iran -- Ineligibility to contract with state.

(a) (1) No more than one hundred twenty (120) days after July 1, 2016, the state chief procurement officer shall publish, using credible information freely available, a list of persons it determines engage in investment activities in Iran, as described in § 12-12-105. The list, when completed, shall be posted on the state's web site.

(2) The chief procurement officer shall update the list every one hundred eighty (180) days, using credible, freely available, public information regarding the person described in subdivision (a)(1).

(3) Before finalizing an initial list or an updated list, as reasonably practicable, the chief procurement officer shall do all of the following before a person is included:

(A) Provide ninety (90) days' written notice of the chief procurement officer's intent to include the person on the list, if the state is reasonably able to provide the notice electronically or through the U.S. postal service. The notice shall inform the person that inclusion on the list would make the person ineligible to contract with the state. The notice shall specify that the person, if it ceases its engagement in investment activities in Iran, may be removed from the list.

(B) The chief procurement officer shall provide a person with an informal opportunity to comment in writing that it is not engaged in investment activities in Iran. If the person demonstrates to the chief procurement officer that the person is not engaged in investment activities in Iran, the person shall not be included on the list. Nothing in this section shall preclude a contested case hearing as set forth in the Uniform Administrative Procedures Act, compiled in Title 4, chapter 5. A person contesting being placed on the list described in this section shall exhaust all administrative remedies provided in this section prior to the initiation of any judicial review of being placed on such list.

(4) The chief procurement officer shall make every effort to avoid erroneously including a person on the list.

(b) A person that is identified on a list created pursuant to subsection (a) as a person engaging in investment activities in Iran as described in § 12-12-105, is ineligible to contract with the state.

(c) Any contract entered into with a person that is ineligible to contract with the state shall be terminated by the state.

HISTORY: Acts 2016, ch. 017, § 1.