

Contractor Agency Act

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Whereas contractors act as agents of the legal entities or person(s) who hire them.

Whereas this holds particularly true for contractors of governmental agencies.

Whereas requisite liabilities and privileges regarding those agents should be codified.

Article I

Definitions

§1. A contractee is defined as a person or organization that hires another person or organization to perform services for them, but not as an employee.

§2. A contractor is defined as a person or organization that is not hired as an employee or officer of a contractee but still performs services as an agent of the contractee in exchange for pay.

Article II

Amendments

§1. Strike Article 28 §1 of the Criminal Code 2020 and replace with the following:

§1.1 “No government official, government contractor, or private individual may deny, restrict, preferentially provide or otherwise unfairly execute their duties or provide services because of a person's protected characteristics.”

§2. Strike Article 30 §1 of the Criminal Code 2020 and replace with the following:

§2.1. “Abuse of discretion is to be misuse of the powers of any government official, employee, or contractor to inappropriately and maliciously benefit private or personal interests, to the detriment of the public interest.”

§3. Strike Article 32 §1 of the Criminal Code 2020 and replace with the following:

§3.1 “The crime of public misinformation is to be intentionally, negligently and maliciously relaying false or otherwise incorrect information to the public by a government official, employee, or contractor in order to cause social harm; be it through official documentation of SimDemocracy, or through public statements, or through other means where the place where false or otherwise incorrect information is used for informational or documentation purposes.”

§4. Add the following article, entitled “Article 30a. Unauthorized Infiltration” after Article 30 of the Criminal Code 2020:

§4.1. “§1. A person commits unauthorized infiltration if such person enters or infiltrates an organization or nation in bad faith and with the intention to surveil or spy upon, or disrupt that entity on behalf of SimDemocracy, without both employment in the SimDemocracy government and proper authorization from the relevant SimDemocracy department head.

§4.1.1. “§1.1. If a person charged with unauthorized infiltration is suspected by reasonable doubt to be a contractor of any sort, then the Department of Justice may subpoena any records from both the contractor and contractee to confirm the contractor-contractee relationship.”

§4.2. “§2. This excludes any actions taken by individuals on behalf of a foreign nation, so long as the affected nation is not SimDemocracy.

§4.3. “§3. A contractor found guilty of unauthorized infiltration shall be sentenced to a ban of at least two months.”

Article III

Exceptions and Other Provisions

§1. The articles that comprise this bill shall not apply to political parties, as defined by the Political Parties and Communities Act 2023, except when:

§1.1. The political party exists for the facilitation of work for a non-political purpose, or

§1.2. A preponderance of evidence indicates that a certain member(s) of the political party are providing services to the party for payment.

§2. Neither a contractor nor a contractee shall agree to terms that bar the Department of Justice from subpoenaing information, records, case reports, findings, or any other information pertaining to the contractor’s activities.

§2.1. Any agreement in effect that involves the terms mentioned in §2 at the time of this Act’s passage shall be declared illegal and rendered null and void.