

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 2179

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RICHARDSON.

5661H.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to prohibiting public entities from contracting with companies discriminating against Israel.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be
2 known as section 34.600, to read as follows:

**34.600. 1. This section shall be known as the "Anti-Discrimination Against Israel
2 Act".**

**3 2. A public entity may not enter into a contract with a company to acquire or
4 dispose of services, supplies, information technology, or construction unless the contract
5 includes a written certification that the company is not currently engaged in, and will not
6 for the duration of the contract, engage in, a boycott of Israel. This section shall not apply
7 to contracts with a total potential value of less than ten thousand dollars.**

8 3. As used in this section, the following terms and phrases shall mean:

**9 (1) "Boycott Israel" and "boycott of the State of Israel", engaging in refusals to
10 deal, terminating business activities, or other actions that are intended to discriminate
11 against, inflict economic harm, or otherwise limit commercial relations specifically with the
12 State of Israel, or persons or entities doing business in the State of Israel. A company's
13 statement that it is participating in boycotts of the State of Israel, or that it has taken the
14 boycott action at the request, in compliance with, or in furtherance of calls for a boycott
15 of the State of Israel, shall be considered to be conclusive evidence that a company is**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 participating in a boycott of the State of Israel, provided however, that a company that has
17 made no such statement may still be considered to be participating in a boycott of the State
18 of Israel if other factors warrant such a conclusion. At no time shall the "State of Israel"
19 be construed to be inconsistent with any provision of federal law, including, but not limited
20 to 50 U.S.C. Sections 4602, 4605 or 4607, as amended;

21 (2) "Company", any for-profit or not-for-profit organization, association,
22 corporation, partnership, joint venture, limited partnership, limited liability partnership,
23 limited liability company, or other entity or business association, including all wholly
24 owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of those
25 entities or business associations;

26 (3) "Public entity", the state of Missouri, or any political subdivision thereof,
27 including all boards, commissions, agencies, institutions, authorities, and bodies politic and
28 corporate of the state, created by or in accordance with state law or regulations.

29 4. Any contract which fails to comply with the provisions of this section shall be
30 void against public policy.

31 5. The commissioner of administration or the designee thereof may promulgate
32 regulations to implement the provisions of this act so long as they are consistent with this
33 section and do not create any exceptions to it. Any rule or portion of a rule, as that term
34 is defined in section 536.010, that is created under the authority of this section shall become
35 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
36 if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
37 the powers vested with the general assembly pursuant to chapter 536, to review, to delay
38 the effective date, or to disapprove and annul a rule are subsequently held
39 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
40 after August 28, 2018, shall be invalid and void.

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