

HB 1848 -- CIVIL LIBERTIES DEFENSE ACT

SPONSOR: Kidd

This bill creates the Civil Liberties Defense Act. The bill mandates that any court, arbitration, tribunal, or administrative agency ruling is unenforceable if based on a foreign law that is repugnant or inconsistent with the Missouri and United States constitutions.

The bill makes contract provisions that choose to apply a foreign law to contractual disputes or to have disputes settled in another country void and unenforceable in Missouri if the foreign law is repugnant to or inconsistent with the Missouri and United States constitutions.

In some cases, a court may refuse to take jurisdiction over matters where the court believes there is a more appropriate forum for the dispute. This bill requires that the court hear the case in Missouri if a state resident brings the case and if the court finds that not hearing the case in Missouri violates or would likely violate the rights of the person who brought the case.

This bill does not apply to a business entity that subjects itself to a foreign law in a jurisdiction outside the United States and does not authorize courts to adjudicate religious matters.

This bill is the same as HB 299 (2017).