

SS SB 267 -- CIVIL LIBERTIES DEFENSE ACT

(Vetoed by the Governor)

This bill establishes the Civil Liberties Defense Act.

Any court, arbitration, tribunal, or administrative agency ruling or decision is void and unenforceable if based on a foreign law, legal code, or system that is repugnant or inconsistent with the Missouri and United States constitutions.

A contract or contractual provision that applies a foreign law to a contractual dispute or allows the dispute to be settled in another country is void and unenforceable in Missouri if the court, arbitration, tribunal, or administrative agency bases its rulings or decisions in the matter at issue in whole or in part on any foreign law, legal code, or system that is repugnant or inconsistent with the Missouri or United States constitutions.

In specified cases, a court may refuse to take jurisdiction over matters if it believes that there is a more appropriate forum for the dispute. If a state resident brings the case and the court finds that not hearing the case in Missouri would likely violate rights protected under the Missouri and United States constitutions, the court must hear the case in Missouri.

Without prejudice to any legal right, these provisions do not apply to a business entity that contracts to subject itself to a foreign law in a jurisdiction other than this state or the United States.

The bill specifies that no court can interpret these provisions to require or authorize any court to adjudicate or prohibit any religious organization from adjudicating ecclesiastical matters where adjudication by a court would violate the Missouri Constitution or the prohibition of the establishment clause of the First Amendment of the United States Constitution.