

# HOUSE BILL NO. 2179

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REHDER.

4187H.02I

DANA RADEMAN MILLER, 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 known as section 34.600, to read as follows:

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

**2. A public entity shall not enter into a contract with a company to acquire or dispose of services, supplies, information technology, or construction unless the contract includes a written certification that the company is not currently engaged in and shall not, for the duration of the contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel. This section shall not apply to contracts with a total potential value of less than one hundred thousand dollars or to contractors with fewer than ten employees.**

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

**(1) "Boycott Israel" and "boycott of the State of Israel", engaging in refusals to deal, terminating business activities, or other actions that are intended to discriminate against, inflict economic harm, or otherwise limit commercial relations specifically with the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel. A company's statement that it is participating in boycotts of the State**

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.

18 of Israel; companies doing business in or with Israel or authorized by, licensed by, or  
19 organized under the laws of the State of Israel; or persons or entities doing business in the  
20 State of Israel, or that it has taken the boycott action at the request, in compliance with,  
21 or in furtherance of calls for a boycott of the State of Israel; companies doing business in  
22 or with Israel or authorized by, licensed by, or organized under the laws of the State of  
23 Israel; or persons or entities doing business in the State of Israel shall be considered to be  
24 conclusive evidence that a company is participating in a boycott of the State of Israel;  
25 companies doing business in or with Israel or authorized by, licensed by, or organized  
26 under the laws of the State of Israel; or persons or entities doing business in the State of  
27 Israel; provided, however that a company that has made no such statement may still be  
28 considered to be participating in a boycott of the State of Israel; companies doing business  
29 in or with Israel or authorized by, licensed by, or organized under the laws of the State of  
30 Israel; or persons or entities doing business in the State of Israel if other factors warrant  
31 such a conclusion;

32 (2) "Company", any for-profit or not-for-profit organization, association,  
33 corporation, partnership, joint venture, limited partnership, limited liability partnership,  
34 limited liability company, or other entity or business association, including all wholly-  
35 owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of those  
36 entities or business associations;

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

40 4. Any contract that fails to comply with the provisions of this section shall be void  
41 against public policy.

42 5. The commissioner of administration or his or her designee may promulgate  
43 regulations to implement the provisions of this act so long as they are consistent with this  
44 section and do not create any exceptions. Any rule or portion of a rule, as that term is  
45 defined in section 536.010, that is created under the authority of this section shall become  
46 effective only if it complies with and is subject to all of the provisions of chapter 536 and,  
47 if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of  
48 the powers vested with the general assembly pursuant to chapter 536, to review, to delay  
49 the effective date, or to disapprove and annul a rule are subsequently held  
50 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted  
51 after August 28, 2020, shall be invalid and void.

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