

SECOND REGULAR SESSION  
[ P E R F E C T E D ]  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 739**  
100TH GENERAL ASSEMBLY

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Reported from the Committee on Government Reform, March 5, 2020, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 739, adopted April 29, 2020.

Taken up for Perfection April 29, 2020. Bill declared Perfected and Ordered Printed.

ADRIANE D. CROUSE, Secretary.

3587S.03P

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**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.

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*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  
2 section, to be known as section 34.600, to read as follows:

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

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

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

**16 (1) "Boycott Israel" and "boycott of the State of Israel", engaging**

17 in refusals to deal, terminating business activities, or other actions to  
18 discriminate against, inflict economic harm, or otherwise limit  
19 commercial relations specifically with the State of Israel; companies  
20 doing business in or with Israel or authorized by, licensed by, or  
21 organized under the laws of the State of Israel; or persons or entities  
22 doing business in the State of Israel, that are all intended to support a  
23 boycott of the State of Israel. A company's statement that it is  
24 participating in boycotts of the State of Israel; companies doing  
25 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  
27 business in the State of Israel, or that it has taken the boycott action  
28 at the request, in compliance with, or in furtherance of calls for a  
29 boycott of the State of Israel; companies doing business in or with  
30 Israel or authorized by, licensed by, or organized under the laws of the  
31 State of Israel; or persons or entities doing business in the State of  
32 Israel shall be considered to be conclusive evidence that a company is  
33 participating in a boycott of the State of Israel; companies doing  
34 business in or with Israel or authorized by, licensed by, or organized  
35 under the laws of the State of Israel; or persons or entities doing  
36 business in the State of Israel; provided, however that a company that  
37 has made no such statement may still be considered to be participating  
38 in a boycott of the State of Israel; companies doing business in or with  
39 Israel or authorized by, licensed by, or organized under the laws of the  
40 State of Israel; or persons or entities doing business in the State of  
41 Israel if other factors warrant such a conclusion;

42 (2) "Company", any for-profit or not-for-profit organization,  
43 association, corporation, partnership, joint venture, limited partnership,  
44 limited liability partnership, limited liability company, or other entity or  
45 business association, including all wholly-owned subsidiaries,  
46 majority-owned subsidiaries, parent companies, or affiliates of those  
47 entities or business associations;

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

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

54           **5. The commissioner of administration or his or her designee**  
55 **may promulgate regulations to implement the provisions of this act so**  
56 **long as they are consistent with this section and do not create any**  
57 **exceptions. Any rule or portion of a rule, as that term is defined in**  
58 **section 536.010, that is created under the authority of this section shall**  
59 **become effective only if it complies with and is subject to all of the**  
60 **provisions of chapter 536 and, if applicable, section 536.028. This**  
61 **section and chapter 536 are nonseverable and if any of the powers**  
62 **vested with the general assembly pursuant to chapter 536, to review, to**  
63 **delay the effective date, or to disapprove and annul a rule are**  
64 **subsequently held unconstitutional, then the grant of rulemaking**  
65 **authority and any rule proposed or adopted after August 28, 2020, shall**  
66 **be invalid and void.**

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Bill

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