

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILLS NOS. 977 & 1011

103RD GENERAL ASSEMBLY

5434S.02C

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapters 1, 506, and 508, RSMo, by adding thereto three new sections relating to application of foreign law.

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

Section A. Chapters 1, 506, and 508, RSMo, are amended by  
2 adding thereto three new sections, to be known as sections  
3 1.037, 506.602, and 508.074, to read as follows:

1.037. The World Health Organization, the United  
2 Nations, the World Economic Forum, and any other  
3 international organization or body shall have no  
4 jurisdiction or power within the state of Missouri. No  
5 rule, regulation, fee, tax, policy, or mandate of any kind  
6 of the World Health Organization, the United Nations, the  
7 World Economic Forum, or any other international  
8 organization or body shall be enforced or implemented by the  
9 state of Missouri or any agency, department, board, or  
10 commission of the state or any municipality or other  
11 political subdivision of the state.

506.602. 1. This section shall be known and may be  
2 cited as the "No Shari'a Act".

3 2. As used in this section, the following terms mean:

4 (1) "Foreign law", any law, legal framework, legal  
5 code, or system, including religious law when invoked as a  
6 substitute for a state or federal law, derived from a

7 jurisdiction outside of any state or territory of the United  
8 States, including international organizations and tribunals;

9 (2) "Fundamental rights", rights guaranteed by the  
10 Constitution of Missouri and the Constitution of the United  
11 States, including, but not limited to, due process, equal  
12 protection, freedom of religion, freedom of speech, and  
13 rights related to marriage, child custody, and property.

14 3. The application of Shari'a law or any foreign law  
15 that denies the parties fundamental rights shall be  
16 prohibited and render the following void and unenforceable:

17 (1) A ruling or decision of any state court,  
18 arbitration panel, or administrative agency;

19 (2) A contract or contractual provision, if severable,  
20 that provides for the choice of Shari'a law or any foreign  
21 law; and

22 (3) A contract or contractual provision, if severable,  
23 that grants jurisdiction to a foreign tribunal.

24 4. No court shall enforce or apply:

25 (1) A judgment, decree, or arbitration decision if it  
26 relies, in whole or in part, on Shari'a law or any foreign  
27 law that violates the fundamental rights of a party;

28 (2) A contract or contractual provision, if severable,  
29 that provides for the choice of Shari'a law or any foreign  
30 law where the enforcement or application would be in  
31 violation of a party's fundamental rights; or

32 (3) Shari'a law or foreign law in matters involving  
33 marriage, divorce, child custody, adoption, or inheritance  
34 if such enforcement or application would be inconsistent  
35 with fundamental rights or public policy.

36 5. The provisions of this section shall not be  
37 construed to:

38           (1) Disapprove or abrogate existing precedent of the  
39 Missouri supreme court;

40           (2) Limit adjudication of ecclesiastical matters of a  
41 religious organization, including the selection,  
42 appointment, discipline, or removal of clergy or  
43 interpretation of doctrine;

44           (3) Apply to corporations, partnerships, or  
45 associations that voluntarily subject themselves to any  
46 foreign law or foreign courts; or

47           (4) Apply where federal law preempts state law,  
48 including obligations under treaties or international  
49 agreements.

          508.074. No state court, arbitration panel, tribunal,  
2 or administrative agency shall transfer any civil action if  
3 such transfer would result in the application of Shari'a law  
4 or any other foreign law, as the term "foreign law" is  
5 defined in section 506.602, that would violate or likely  
6 violate fundamental rights, as the term "fundamental rights"  
7 is defined in section 506.602.

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