

SENATE BILL NO. 1372

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

5830S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to sovereign authority of the state of Missouri.

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

Section A. Chapter 1, RSMo, is amended by adding thereto
2 one new section, to be known as section 1.202, to read as
3 follows:

1.202. 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 shall
4 mean:

5 (1) "Foreign law", any law, legal code, or system
6 derived from a jurisdiction outside the United States or its
7 territories, including religious law when invoked as a
8 substitute for a state or federal law;

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. (1) No court shall enforce a judgment, decree, or
15 arbitration decision if it relies, in whole or in part, on
16 Shari'a or any foreign law that violates the constitutional
17 rights of any party.

18 (2) A contract provision choosing foreign law shall be
19 valid unless enforcement would result in a violation of
20 constitutional rights.

21 (3) In matters involving marriage, divorce, child
22 custody, adoption, or inheritance, no court shall apply or
23 enforce foreign law if inconsistent with fundamental rights
24 or public policy.

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