

SENATE BILL NO. 977

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

5434S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapters 506 and 508, RSMo, by adding thereto two 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 506 and 508, RSMo, are amended by
2 adding thereto two new sections, to be known as sections 506.602
3 and 508.074, to read as follows:

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

3 2. As used in this section, the term "foreign law,
4 legal code, or system" shall mean any legal framework from a
5 jurisdiction outside of any state or territory of the United
6 States, including international organizations and tribunals.

7 3. The application of Shari'a law or any foreign law,
8 legal code, or system that denies the parties the
9 fundamental liberties, rights, and privileges guaranteed
10 under the Constitution of the United States or the
11 Constitution of Missouri shall be prohibited and render the
12 following void and unenforceable:

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

15 (2) A contract or contractual provision, if severable,
16 that provides for the choice of Shari'a law or any foreign
17 law, legal code, or system; and

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

20 4. The provisions of this section shall not be
21 construed to:

22 (1) Disapprove or abrogate existing precedent of the
23 Missouri supreme court;

24 (2) Limit adjudication of ecclesiastical matters of a
25 religious organization, including the selection,
26 appointment, discipline, or removal of clergy or
27 interpretation of doctrine;

28 (3) Apply to corporations, partnerships, or
29 associations that voluntarily subject themselves to any
30 foreign law, legal code, or system or foreign courts; or

31 (4) Apply where federal law preempts state law,
32 including obligations under treaties or international
33 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, legal code, or system, as the term
5 "foreign law, legal code, or system" is defined in section
6 506.602, that would violate or likely violate the
7 fundamental liberties, rights, and privileges of the parties
8 guaranteed under the Constitution of the United States or
9 the Constitution of Missouri.

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