

SECOND REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILLS NOS. 977 & 1011

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

5434S.04P

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. 1. **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.**

2. **The term "international organization or body" as
13 used in this section shall not include the Hague Conference
14 on Private International Law (HCCH). Nothing in this**

15 section shall prohibit the child support program of the
16 family support division within the department of social
17 services from enforcing or implementing any provision of any
18 convention, protocol, or instrument issued by the Hague
19 Conference on Private International Law (HCCH).

2 506.602. 1. This section shall be known and may be
3 cited as the "No Foreign Laws Act".

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

5 (1) "Foreign law", any law, legal framework, legal
6 code, or system, including religious law when invoked as a
7 substitute for a state or federal law, derived from a
8 jurisdiction outside of any state or territory of the United
9 States, including international organizations and tribunals;

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

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

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

20 (2) A contract or contractual provision, if severable,
21 that provides for the choice of any foreign 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 any foreign law that
violates the fundamental rights of a party;

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

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

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

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

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

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

46 (4) Apply where federal law preempts state law,
47 including obligations under treaties or international
48 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 any other
4 foreign law, as the term "foreign law" is defined in section
5 506.602, that would violate or likely violate fundamental
6 rights, as the term "fundamental rights" is defined in
7 section 506.602.

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