SB81
171526-4
By Senator Orr
RFD: Judiciary
First Read: 02-FEB-16
ENROLLED, An Act,
Relating to public contracts; to prohibit a
governmental entity from entering into certain contracts with
a business entity unless the contract includes a
representation that the business is not currently engaged in,
and an agreement that the business will not engage in, the
boycott of a person or an entity based in or doing business
with a jurisdiction with which this state can enjoy open
trade; and to provide exceptions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the
following terms shall have the following meanings:

(1) BOYCOTT. To blacklist, divest from, or otherwise
refuse to deal with a person or business entity when the
action is based on race, color, religion, gender, or national
origin of the targeted person or entity or is based on the
fact that the boycotted person or entity is doing business in
a jurisdiction with which this state can enjoy open trade and
with which the targeted person or entity is doing business.

(2) BUSINESS ENTITY. A corporation, partnership,
limited liability company, organization, or other legal entity
conducting or operating any trade or business in Alabama or a
corporation, organization, or other legal entity operating in Alabama that is exempt from taxation under Section 501(C)(3) or (4) of the Internal Revenue Code.

(3) GOVERNMENTAL ENTITY. The state or any political subdivision thereof, or any department, agency, board, commission, or authority of the state, or any political subdivision, or any public corporation, authority, agency, board, commission, state college, or university, municipality, or other governmental entity controlled by the state or any political subdivision.

(4) JURISDICTION WITH WHICH THIS STATE CAN ENJOY OPEN TRADE. Includes World Trade Organization members and those with which the United States has free trade or other agreements aimed at ensuring open and nondiscriminatory trade relations.

(b) Subject to subsection (c), a governmental entity may not enter into a contract governed by Title 39 or Chapter 16, Title 41, Code of Alabama 1975, with a business entity unless the contract includes a representation that the business entity is not currently engaged in, and an agreement that the business entity will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which this state can enjoy open trade.

(c)(1) This section does not apply if a business fails to meet the requirements of subsection (b) but offers to
provide the goods or services for at least 20 percent less than the lowest certifying business entity.

(2) This section does not apply to contracts with a total potential value of less than fifteen thousand dollars ($15,000).

(d) Nothing in this section requires a business entity or individual to do business with any other particular business entity or individual in order to enter into a contract with a governmental entity.

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.
SB81

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB81
Senate 07-APR-16
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 28-APR-16

By: Senator Orr

APPROVED 5-10-2016
TIME 3:30 PM

Government of the State of Alabama
Act Num....: 2016-312
Bill Num....: S-81
Recv'd 05/10/16  04:52pmSLF

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I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill.

SB 81

yeas 24 nays 0 abstain 0

PATRICK HARRIS, Secretary

I hereby certify that the notice & proof is attached to the Bill. SB ______________ as required in the General Acts of Alabama, 1975 Act No. 919.

PATRICK HARRIS, Secretary

CONFERENCE COMMITTEE

Senate Conferees

DATE: 07 15 2004

RE-REFERRED to Re-Committed Committee

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill.

YEAS ___________ NAYS ___________

JEFF WOODARD, Clerk