AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to prohibiting public entities from contracting with companies discriminating against Israel.

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

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be known as section 34.600, to read as follows:

34.600. 1. This section shall be known as the "Anti-Discrimination Against Israel Act".

2. A public entity shall not enter into a contract with a company to acquire or dispose of services, supplies, information technology, or construction unless the contract includes a written certification that the company is not currently engaged in and shall not, for the duration of the contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel. This section shall not apply to contracts with a total potential value of less than one hundred thousand dollars or to contractors with fewer than ten employees.

3. As used in this section, the following terms and phrases shall mean:

(1) "Boycott Israel" and "boycott of the State of Israel", engaging in refusals to deal, terminating business activities, or other actions to discriminate against, inflict economic harm, or otherwise limit
commercial relations specifically with the State of Israel; companies
doing business in or with Israel or authorized by, licensed by, or
organized under the laws of the State of Israel; or persons or entities
doing business in the State of Israel, that are all intended to support a
boycott of the State of Israel. A company's statement that it is
participating in boycotts of the State of Israel; companies doing
business in or with Israel or authorized by, licensed by, or organized
under the laws of the State of Israel; or persons or entities doing
business in the State of Israel, or that it has taken the boycott action
at the request, in compliance with, or in furtherance of calls for a
boycott of the State of Israel; companies doing business in or with
Israel or authorized by, licensed by, or organized under the laws of the
State of Israel; or persons or entities doing business in the State of
Israel shall be considered to be conclusive evidence that a company is
participating in a boycott of the State of Israel; companies doing
business in or with Israel or authorized by, licensed by, or organized
under the laws of the State of Israel; or persons or entities doing
business in the State of Israel; provided, however that a company that
has made no such statement may still be considered to be participating
in a boycott of the State of Israel; companies doing business in or with
Israel or authorized by, licensed by, or organized under the laws of the
State of Israel; or persons or entities doing business in the State of
Israel if other factors warrant such a conclusion;

(2) "Company", any for-profit or not-for-profit organization,
association, corporation, partnership, joint venture, limited partnership,
limited liability partnership, limited liability company, or other entity or
business association, including all wholly-owned subsidiaries,
majority-owned subsidiaries, parent companies, or affiliates of those
entities or business associations;

(3) "Public entity", the state of Missouri or any political
subdivision thereof, including all boards, commissions, agencies,
institutions, authorities, and bodies politic and corporate of the state
created by or in accordance with state law or regulations.

4. Any contract that fails to comply with the provisions of this
section shall be void against public policy.

5. The commissioner of administration or his or her designee
may promulgate regulations to implement the provisions of this act so
long as they are consistent with this section and do not create any exceptions. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority of this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.