

SENATE BILL NO. 377

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

1601S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to prohibiting public entities from entering into contracts with companies engaged in economic boycotts.

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

Section A. Chapter 34, RSMo, is amended by adding thereto
2 one new section, to be known as section 34.650, to read as
3 follows:

34.650. 1. A public entity shall not enter into a
2 contract with a company to acquire or dispose of services,
3 supplies, information technology, or construction unless the
4 contract includes a written certification that the company
5 is not currently engaged in and shall not, for the duration
6 of the contract, engage in any kind of economic boycott.
7 This section shall not apply to contracts with a total
8 potential value of less than one hundred thousand dollars or
9 to contractors with fewer than ten employees.

10 2. As used in this section, the following terms and
11 phrases mean:

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

19 (2) "Economic boycott", refusing to deal with,
20 terminating business activities with, or otherwise taking
21 any commercial action that is intended to penalize, inflict
22 economic harm on, limit commercial relations with, or change
23 or limit the activities of a company because the company,
24 without violating controlling federal or state law:

25 (a) Engages in the exploration, production,
26 utilization, transportation, sale, or manufacturing of,
27 fossil fuel-based energy, timber, mining, or agriculture;

28 (b) Engages in, facilitates, or supports the
29 manufacture, import, distribution, marketing or advertising,
30 sale, or lawful use of firearms, ammunition or component
31 parts and accessories of firearms or ammunition;

32 (c) Does not meet, is not expected to meet, or does
33 not commit to meet environmental standards or disclosure
34 criteria, in particular to eliminate, reduce, offset, or
35 disclose greenhouse gas emissions;

36 (d) Does not meet, is not expected to meet, or does
37 not commit to meet any specified criteria with respect to
38 the compensation and composition of the company's corporate
39 board and the employees of the company;

40 (e) Does not facilitate, is not expected to
41 facilitate, or does not commit to facilitate access to
42 abortion, sex or gender change, or transgender surgery or
43 medical treatments; or

44 (f) Does business with a company that engages in or
45 does not meet one or more of the criteria listed in
46 paragraphs (a) to (e) of this subdivision.

47 (3) "Public entity", the state of Missouri or any
48 political subdivision thereof, including all boards,
49 commissions, agencies, institutions, authorities, and bodies

50 politic and corporate of the state created by or in
51 accordance with state law or regulations.

52 3. Any contract that fails to comply with the
53 provisions of this section shall be void against public
54 policy.

55 4. The commissioner of administration or his or her
56 designee may promulgate regulations to implement the
57 provisions of this section, so long as they are consistent
58 with this section and do not create any exceptions. Any
59 rule or portion of a rule, as that term is defined in
60 section 536.010, that is created under the authority of this
61 section shall become effective only if it complies with and
62 is subject to all of the provisions of chapter 536 and, if
63 applicable, section 536.028. This section and chapter 536
64 are nonseverable and if any of the powers vested with the
65 general assembly pursuant to chapter 536 to review, to delay
66 the effective date, or to disapprove and annul a rule are
67 subsequently held unconstitutional, then the grant of
68 rulemaking authority and any rule proposed or adopted after
69 August 28, 2023, shall be invalid and void.

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