

SECOND REGULAR SESSION

HOUSE BILL NO. 2691

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CHAPPELL.

5142H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to state purchasing of electric vehicles, with penalty provisions.

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 34.630, to read as follows:

34.630. 1. As used in this section, the following terms mean:

(1) "Electric vehicle", a motor vehicle that is propelled to a significant extent by an electric motor that draws electricity from a battery capable of being recharged from an external source of electricity;

(2) "Forced labor", all work or service that is:

(a) Obtained by force, fraud, or coercion, including by threat of serious harm to, or physical restraint against, any person; by means of any scheme, plan, or pattern intended to cause the person to believe that if such person did not perform such labor or services, such person or another person would suffer serious harm or physical restraint; or by means of the abuse or threatened abuse of the law or the legal process;

(b) Imposed on the basis of a protected characteristic;

(c) Not offered or provided voluntarily by the worker; or

(d) Produced through oppressive child labor;

(3) "Governmental entity", a state agency or political subdivision of this state or any school, college, university, administration, authority, or other enterprise operated by the state or any political subdivision thereof;

EXPLANATION — Matter enclosed in bold-faced brackets [~~thus~~] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 (4) "Oppressive child labor", a condition of employment under which any
18 person under fourteen years of age is employed in an occupation hazardous for the
19 employment of children, such as manufacturing or mining;

20 (5) "Protected characteristic", any characteristic protected by the Missouri
21 human rights act.

22 2. No governmental entity shall enter into a contract for the procurement of
23 electric vehicles, or any component of an electric vehicle, unless the governmental entity
24 is provided a sworn certification from the manufacturer of the electric vehicle or the
25 component of an electric vehicle that does the following:

26 (1) Consents to the personal jurisdiction by the state over the manufacturer; and

27 (2) Certifies that no entity involved in the production of the electric vehicle or
28 component of an electric vehicle, including the production of any constituent part or the
29 mining or other sourcing of any materials, used forced labor or oppressive child labor in
30 its activities.

31 3. (1) In addition to any other remedies available at law or equity, if the
32 manufacturer or seller provides false or misleading information under subsection 2 of
33 this section, the individual providing the false or misleading information shall be liable
34 for a civil penalty of ten thousand dollars per false or misleading statement or one-half
35 the total price paid by the governmental entity for the vehicles or components,
36 whichever is greater.

37 (2) Any governmental entity that knowingly violates subsection 2 of this section
38 shall be subject to a fine of ten thousand dollars per false or misleading statement or the
39 total price paid by the governmental entity for the vehicles or components, whichever is
40 greater. The fines under this subdivision shall be payable to the general revenue fund.

41 (3) Any state employee that knowingly violates subsection 2 of this section shall
42 personally pay a fine of five thousand dollars to the Missouri veterans commission.

43 (4) Any employee of a local government or political subdivision that knowingly
44 violates subsection 2 of this section shall personally pay a fine of five thousand dollars to
45 the school districts in the county in which the violation occurred. Such funds shall be
46 allocated in proportion to the average daily attendance of each school district in the
47 county.

48 (5) Each member of a statewide board who votes in the affirmative to authorize
49 a purchase that violates subsection 2 of this section shall personally pay a fine of five
50 thousand dollars to the Missouri veterans commission.

51 (6) Each member of a local government or political subdivision board who votes
52 in the affirmative to authorize a purchase that violates subsection 2 of this section shall
53 personally pay a fine of five thousand dollars to the school districts in the county in

54 which the violation occurred. Such funds shall be allocated in proportion to the average
55 daily attendance of each school district in the county.

56 (7) Any citizen within the jurisdiction of the state of Missouri or any political
57 subdivision thereof shall have standing to bring enforcement of this section.

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