

SECOND REGULAR SESSION

# HOUSE BILL NO. 2327

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LUCAS.

5148H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To amend chapters 506 and 508, RSMo, by adding thereto two new sections relating to application of foreign law.

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

Section A. Chapters 506 and 508, RSMo, are amended by adding thereto two new sections, to be known as sections 506.602 and 508.074, to read as follows:

**506.602. 1. This act shall be known and may be cited as the "No Shari'a Act".**

**2. As used in this section, the term "foreign law, legal code, or system" shall mean any legal framework from a jurisdiction outside of any state or territory of the 4 United States, including international organizations and tribunals.**

**3. The application of Shari'a law or any foreign law, legal code, or system that 6 denies the parties the fundamental liberties, rights, and privileges guaranteed under the 7 Constitution of the United States or the Constitution of Missouri shall be prohibited and 8 render the following void and unenforceable:**

**9 (1) A ruling or decision of any state court, arbitration panel, or administrative 10 agency;**

**11 (2) A contract or contractual provision, if severable, that provides for the choice 12 of Shari'a law or any foreign law, legal code, or system; and**

**13 (3) A contract or contractual provision, if severable, that grants jurisdiction to a 14 foreign tribunal.**

**15 4. The provisions of this section shall not be construed to:**

**16 (1) Disapprove or abrogate existing precedent of the Missouri supreme court;**

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           **(2) Limit adjudication of ecclesiastical matters of a religious organization,  
18 including the selection, appointment, discipline, or removal of clergy or interpretation of  
19 doctrine;**

20           **(3) Apply to corporations, partnerships, or associations that voluntarily subject  
21 themselves to foreign law or courts; or**

22           **(4) Apply where federal law preempts state law, including obligations under  
23 treaties or international agreements.**

508.074. No state court, arbitration panel, tribunal, or administrative agency  
2 shall transfer any civil action if such transfer would result in the application of Shari'a  
3 or any other foreign law, legal code, or system that would violate or likely violate the  
4 fundamental liberties, rights, and privileges of the parties guaranteed under the  
5 Constitution of the United States or the Constitution of Missouri.

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