

SECOND REGULAR SESSION

HOUSE BILL NO. 2139

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JORDAN.

5492H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

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

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 United States, including international organizations and tribunals.

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

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

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

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

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

(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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