

HB 2106 -- APPLICATION OF FOREIGN LAW

SPONSOR: Reuter

This bill creates the "No Shari'a Act", which prohibits the application of Shari'a law or any foreign law, legal code, or system that denies fundamental liberties, rights, and privileges guaranteed under the U.S. Constitution.

The following types of such laws, codes, or systems must be deemed void and unenforceable:

- (1) A ruling or decision of a state court, arbitration panel, or administrative agency;
- (2) A contract or contractual provision 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.

The provisions of this bill will not be construed to:

- (1) Disapprove or abrogate existing precedent of the Missouri Supreme Court;
- (2) Limit adjudication of ecclesiastical matters of a religious organization, including the selection, appointment, discipline, or removal of clergy or interpretation of doctrine;
- (3) Apply to corporations, partnerships, or associations that voluntarily subject themselves to foreign law or courts; or
- (4) Apply where federal law preempts state law, including obligations under treaties or international agreements.

No state court, arbitration panel, tribunal, or administrative agency can transfer any civil actions if such transfer would result in the application of Shari'a law or any other foreign law, legal code, or system that would violate or likely violate the fundamental liberties, rights, and privileges guaranteed under the US Constitution or Missouri Constitution.