

HB 3338 -- APPLICATION OF FOREIGN LAW

SPONSOR: Whaley

This bill precludes the World Health Organization, the United Nations, the World Economic Forum, and all other international organizations or bodies from having any jurisdiction or power in the State, or the ability to impose any rule, regulation, fee, tax, policy or mandate that will be enforced by the State or any agency, department, board, or commission of the State.

The 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 application of Shari'a law or any foreign law that denies the parties fundamental rights will render the following types of such laws, codes, or systems 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; 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 the transfer would result in the application of Shari'a law or any other foreign law

that would violate or likely violate the fundamental liberties, rights, and privileges guaranteed under the U.S. Constitution and Missouri Constitution.