SS SCS SBs 977 & 1011 -- APPLICATION OF FOREIGN LAW

This bill provides that no international organization or body, such as the World Health Organization, the United Nations, or the World Economic Forum, will have jurisdiction or power within the State. No rule, regulation, fee, tax, policy, or mandate of any kind from such organizations will be enforced or implemented by the State or local public body. The restrictions provided in the bill do not include the Hauge Conference on Private International Law (HCCH), nor does anything in this bill prohibit the Department of Social Services from enforcing or implementing any provision of any convention, protocol, or instrument issued by the HCCH.

The bill also establishes the "No Foreign Laws Act", which prohibits the application and enforceability of any foreign law that denies the parties the fundamental liberties, rights, and privileges guaranteed under the United States Constitution or the State Constitution.

Under the provisions of the bill, the following will be unenforceable:

(1) A judgment, decree, or arbitration decision if it relies on any foreign law that violates the fundamental rights of any party;

(2) A contract or contractual provision choosing foreign law which would result in a violation of fundamental rights; or

(3) Foreign law, in certain family law matters, if inconsistent with fundamental rights or public policy.

The provisions of the bill are not to be construed to disapprove or abrogate existing precedent of the Supreme Court of Missouri; limit adjudication of ecclesiastical matters of a religious organization; apply to those corporations, partnerships, or associations that voluntarily subject themselves to foreign law or foreign courts; or apply where Federal law preempts state law.

Additionally, the bill provides that no state court, arbitration panel, tribunal, or administrative agency will transfer any civil action if the transfer would result in the application of prohibited foreign law.