

HOUSE BILL No. 2409

By Committee on Appropriations

3-22

1 AN ACT concerning state contracts; relating to contract requirements;
2 limitations on procurement, investment or other policy.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. As used in sections 1 and 2, and amendments thereto:

6 (a) "Boycott" means engaging in a refusal to deal, terminating
7 business activities or performing other actions that are intended to limit
8 commercial relations with persons or entities doing business in Israel or in
9 territories controlled by Israel, if those actions are taken either:

10 (1) In compliance with or adherence to calls for a boycott of Israel
11 other than those boycotts to which 50 U.S.C. § 4607(c) applies; or

12 (2) in a manner that discriminates on the basis of nationality, national
13 origin or religion, and that is not based on a valid business reason;

14 (b) "company" means a sole proprietorship, organization, association,
15 corporation, partnership, venture or other entity, its subsidiary or affiliate,
16 that exists for profitmaking purposes or to otherwise secure economic
17 advantage; and

18 (c) "state" means this state or an agency, board, commission or
19 department of this state.

20 Sec. 2. (a) ***{Except as provided in subsection (c), t}***he state shall not
21 enter into a contract with an individual or company to acquire or dispose
22 of services, supplies, information technology or construction, unless such
23 individual or company submits a written certification that such individual
24 or company is not currently engaged in a boycott of Israel.

25 (b) The state may not adopt a procurement, investment or other policy
26 that has the effect of inducing or requiring a person to boycott the
27 government of Israel or its instrumentalities, or to boycott a person doing
28 business in Israel or territories under its jurisdiction, when such boycott is
29 on the basis of such person's location in such places.

30 ***{(c) The secretary of administration will approve contracts, or may***
31 ***waive application of this section on any contract with any state agency if***
32 ***the secretary determines that compliance is not practicable or in the best***
33 ***interest of the state.***

34 Sec. 3. This act shall take effect and be in force from and after its
35 publication in the statute book.