

ANTI-BOYCOTT ISRAEL AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jerry W. Stevenson

House Sponsor: Francis D. Gibson

LONG TITLE

General Description:

This bill enacts the Anti-boycott Israel Act.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ prohibits a government entity from contracting with a company that boycotts the State of Israel.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

63G-27-101, Utah Code Annotated 1953

63G-27-102, Utah Code Annotated 1953

63G-27-201, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63G-27-101** is enacted to read:

CHAPTER 27. ANTI-BOYCOTT ISRAEL ACT



Part 1. General Provisions

63G-27-101. Title.

This chapter is known as the "Anti-Boycott Israel Act."

Section 2. Section 63G-27-102 is enacted to read:

63G-27-102. Definitions.

As used in this chapter:

(1) "Boycott action" means refusing to deal, terminating business activities, or ~~any other action intended to discriminate, inflict economic harm, or otherwise limit~~ limiting ~~commercial~~ commercial relations.

(2) "Boycott of the State of Israel" means engaging in a boycott action ~~specifically with~~ targeting ~~;~~ :

(a) the State of Israel; and

(b) (i) companies or individuals doing business in or with the State of Israel; or

(ii) companies authorized by, licensed by, or organized under the laws of the State of Israel to do business.

(3) (a) "Company" means a corporation, partnership, limited liability company, ~~sole proprietorship,~~ or similar entity.

(b) "Company" includes any wholly-owned subsidiary, majority-owned subsidiary, parent company, or affiliate of an entity described in Subsection (3)(a).

(4) "Public entity" means the state or a political subdivision of the state, including each department, division, office, board, commission, council, authority, or institution of the state or a political subdivision of the state.

Section 3. Section 63G-27-201 is enacted to read:

Part 2. Prohibitions

63G-27-201. Prohibition on contracting.

(1) Except as provided in Subsection (2), a public entity may not enter into a contract with a company to acquire or dispose of a good or service, including supplies, information technology, or construction services, unless:

(a) the contract includes a written certification that the company is not currently engaged in a boycott of the State of Israel; and

(b) the company agrees not to engage in a boycott of the State of Israel for the duration

59 of the contract.

60 (2) This section does not apply ~~to~~ :

61 ~~[(a) if a company offers to provide a good or service under contract for at least 20% less~~
62 ~~than any other company;~~

63 ~~—(b) to~~ (a) ~~to~~ a contract with a total value of less than \$100,000; or

64 ~~to~~ ~~(c) to~~ (b) ~~to~~ a contract with a company that has fewer than 10 full-time employees.