

26 **Utah Code Sections Affected:**

27 AMENDS:

28 **63G-27-102**, as enacted by Laws of Utah 2021, Chapter 347

29 **63G-27-201**, as enacted by Laws of Utah 2021, Chapter 347

30 ENACTS:

31 **63G-27-202**, Utah Code Annotated 1953

32 REPEALS:

33 **63G-27-101**, as enacted by Laws of Utah 2021, Chapter 347



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

36 Section 1. Section **63G-27-102** is amended to read:

37 **CHAPTER 27. PUBLIC CONTRACT BOYCOTT RESTRICTIONS**

38 **63G-27-102. Definitions.**

39 As used in this chapter:

40 (1) "Boycott action" means refusing to deal, terminating business activities, or limiting
41 commercial relations.

42 (2) "Boycott of the State of Israel" means engaging in a boycott action targeting:

43 (a) the State of Israel; and

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

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

47 (3) "Boycotted company" means a company that:

48 (a) engages in the exploration, production, utilization, transportation, sale, or
49 manufacture of fossil fuel-based energy, timber, mining, or agriculture;

50 (b) engages in, facilitates, or supports the manufacture, distribution, sale, or use of
51 firearms;

52 (c) ~~H→ [does not meet or commit to meet corporate board, or employment, composition,~~
53 ~~compensation, or disclosure criteria that incorporates race, color, sex, religion, ancestry, or~~
54 ~~national origin;~~

55 ~~——(d) ←H~~ does not meet or commit to meet environmental standards, including standards for
56 eliminating, reducing, offsetting, or disclosing greenhouse gas-emissions, beyond applicable

57 state and federal law requirements; or

58 ~~Ĥ~~ ~~→~~ ~~[(e)]~~ (d) ~~←~~ ~~Ĥ~~ does not facilitate or commit to facilitate access to abortion or sex
 58a characteristic
 59 surgical procedures.

60 ~~[(3)]~~ (4) (a) "Company" means a corporation, partnership, limited liability company, or
 61 similar entity.

62 (b) "Company" includes any wholly-owned subsidiary, majority-owned subsidiary,
 63 parent company, or affiliate of an entity described in Subsection ~~Ĥ~~ ~~→~~ ~~[(3)(a)]~~ (4)(a) ~~←~~ ~~Ĥ~~ .

64 (5) "Economic boycott" means, without an ordinary business purpose:

65 (a) engaging in a boycott action targeting:

66 (i) a boycotted company; or

67 (ii) another company because the company does business with a boycotted company; or

68 (b) taking an action intended to penalize, inflict economic harm to, or change or limit
 69 the activities of:

70 (i) a boycotted company; or

71 (ii) another company because the company does business with a boycotted company.

72 (6) (a) "Ordinary business purpose" means a purpose that is related to business
 73 operations.

74 (b) "Ordinary business purpose" does not include a purpose that is solely related to
 75 furthering social, political, or ideological interests.

76 ~~[(4)]~~ (7) "Public entity" means the state or a political subdivision of the state, including
 77 each department, division, office, board, commission, council, authority, or institution of the
 78 state or a political subdivision of the state.

79 Section 2. Section **63G-27-201** is amended to read:

80 **63G-27-201. Prohibition on contracting.**

81 (1) Except as provided in Subsection ~~Ĥ~~ ~~→~~ ~~[(2)]~~ (3) ~~←~~ ~~Ĥ~~ , a public entity may not enter into a
 81a contract

82 with a company to acquire or dispose of a good or service, including supplies, information
 83 technology, or construction services, unless:

84 (a) the contract includes a written certification that the company is not currently
 85 engaged in:

86 (i) a boycott of the State of Israel; or

87 (ii) an economic boycott; [and]