

1 state, in the interest of the state's economic policy, should not
2 boycott trade with Israel. Companies that refuse to deal with
3 United States trade partners such as Israel make discriminatory
4 decisions on the basis of national origin that impair those
5 companies' commercial soundness. Israel is known for its dynamic
6 and innovative approach in many business sectors, and a company's
7 decision to discriminate against persons or entities doing business
8 in Israel or in territories controlled by Israel is an unsound
9 business practice making the company an unduly risky contracting
10 partner. It is also the public policy of the United States, as
11 enshrined in several federal acts, including 50 U.S.C., Section
12 4607, to oppose such boycotts, and Congress has concluded as a
13 matter of national trade policy that cooperation with Israel
14 materially benefits United States companies and improves American
15 competitiveness.

16 B. Except as provided in subsection D of this section, the
17 state shall not enter into a contract with a company unless the
18 company submits a written certification that the company is not
19 currently engaged in a boycott of goods or services from Israel that
20 constitutes an integral part of business conducted or sought to be
21 conducted with the state.

22 C. The state shall not adopt a procurement, investment or other
23 policy that has the effect of inducing or requiring a person to
24 boycott the government of Israel or its instrumentalities, or to

1 boycott a person doing business in Israel or territories under its
2 jurisdiction, when such boycott is on the basis of such person's
3 location in such places.

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5 D. The Oklahoma Secretary of State shall approve contracts or
6 may waive application of this section on any contract with any state
7 agency if the Secretary determines that compliance is not
8 practicable.

9 E. As used in this section:

10 1. "Boycott" means engaging in a refusal to deal, terminating
11 business activities or performing other actions that are intended to
12 limit commercial relations with persons or entities doing business
13 in Israel or in territories controlled by Israel, if those actions
14 are taken either:

15 a. in compliance with or adherence to calls for a boycott
16 of Israel other than those boycotts to which 50
17 U.S.C., Section 4607(c) applies, or

18 b. in a manner that discriminates on the basis of
19 nationality, national origin or religion, and that is
20 not based on a valid business reason;

21 2. "Company" means an organization, association, corporation,
22 partnership, venture or other entity, its subsidiary or affiliate,
23 that exists for profitmaking purposes or to otherwise secure
24 economic advantage;

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3. "Contract" means a written agreement between the state and a company to acquire or dispose of goods or services with an aggregate price of more than One Hundred Thousand Dollars (\$100,000).

"Contract" does not mean a written agreement between the state and an individual to acquire or dispose of goods or services, including employment or consultant services; and

4. "State" means this state or an agency, board, commission or department of this state.

SECTION 2. This act shall become effective November 1, 2020.

COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT EFFICIENCY, dated 02/19/2020 - DO PASS, As Coauthored.