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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 400

- 01/23/2017 Authored by Kresha, Daudt, Peppin, Applebaum, Dean, M., and others
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy
- 02/09/2017 Adoption of Report: Amended and re-referred to the Committee on State Government Finance
- 02/16/2017 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 02/20/2017 Adoption of Report: Placed on the General Register
Read for the Second Time
- 02/23/2017 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act

1.2 relating to state contracts; requiring that the vendor not engage in discrimination

1.3 against Israel; amending Minnesota Statutes 2016, section 16C.06, by adding a

1.4 subdivision; proposing coding for new law in Minnesota Statutes, chapter 16C.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[16C.053] DISCRIMINATION AGAINST ISRAEL PROHIBITED.**

1.7 Subdivision 1. **Discrimination by vendor.** (a) A state agency, including the Minnesota

1.8 State Colleges and Universities, and entities in the legislative branch may not enter into a

1.9 contract with a vendor that engages in discrimination against Israel, or against persons or

1.10 entities doing business in Israel, when making decisions related to the operation of the

1.11 vendor's business.

1.12 (b) For purposes of this section, "discrimination" includes but is not limited to engaging

1.13 in refusals to deal, terminating business activities, or other actions that are intended to limit

1.14 commercial relations with Israel, or persons or entities doing business in Israel, when such

1.15 actions are taken in a manner that in any way discriminates on the basis of nationality or

1.16 national origin and is not based on a valid business reason.

1.17 Subd. 2. **Exemption; commissioner may waive.** (a) This section does not apply to

1.18 contracts with a value of less than \$1,000.

1.19 (b) The commissioner may waive application of this section on a contract if the

1.20 commissioner determines that compliance is not practicable or in the best interests of the

1.21 state.

2.1 Subd. 3. **Relationship to existing law.** Nothing in this section prohibits a vendor from
2.2 engaging in free speech or expression protected under the First Amendment to the
2.3 Constitution of the United States, or the Constitution of the state of Minnesota.

2.4 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to contracts
2.5 entered into on or after that date.

2.6 Sec. 2. Minnesota Statutes 2016, section 16C.06, is amended by adding a subdivision to
2.7 read:

2.8 Subd. 12. **Certification of compliance with this chapter.** The commissioner shall
2.9 require that the terms of any contract include a certification of the vendor's compliance with
2.10 all requirements of this chapter in entering and executing the contract.

2.11 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to contracts
2.12 entered into on or after that date.

2.13 Sec. 3. **COST OF IMPLEMENTATION.**

2.14 Any costs incurred by the commissioner of administration in implementing the
2.15 requirements of section 1 must be paid using existing appropriations provided to the
2.16 commissioner by law.