

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 845

Introduced by Slama, 1.

Read first time January 06, 2022

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to boycotts; to adopt the Anti-Discrimination

2 Against Israel Act; and to declare an emergency.

3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 6 of this act shall be known and may be
2 cited as the Anti-Discrimination Against Israel Act.

3 Sec. 2. For purposes of the Anti-Discrimination Against Israel Act:

4 (1) Boycott of Israel means engaging in refusals to deal,
5 terminating business activities, or other commercial actions that are
6 intended to limit commercial relations with Israel, or companies doing
7 business in or with Israel or authorized by, licensed by, or organized
8 under the laws of the State of Israel to do business, or persons or
9 entities doing business in Israel, when such actions are taken:

10 (a) In compliance with or adherence to calls for a boycott of
11 Israel; or

12 (b) In a manner that in any way discriminates on the basis of
13 nationality, national origin, religion, or other unreasonable basis, and
14 are not based on a valid business reason;

15 (2) Company means any for-profit or not-for-profit organization,
16 association, corporation, partnership, joint venture, limited
17 partnership, limited liability partnership, limited liability company, or
18 other entity or business association, including all wholly owned
19 subsidiaries, majority-owned subsidiaries, parent companies, or
20 affiliates of those entities or business associations; and

21 (3) Public entity means the State of Nebraska, or any political
22 subdivision thereof, including all boards, commissions, agencies,
23 institutions, authorities, and bodies politic and corporate of the state,
24 created by or in accordance with state law or rules and regulations
25 adopted and promulgated pursuant to state law.

26 Sec. 3. (1) A public entity shall not enter into a contract with a
27 company to acquire or dispose of services, supplies, information
28 technology, or construction unless the contract includes a written
29 certification that the company is not currently engaged in, and will not
30 for the duration of the contract engage in, a boycott of Israel. This
31 section does not apply to contracts with a total potential value of less

1 than one hundred thousand dollars or to contractors with less than ten
2 employees.

3 (2) The written certification shall include the following sentence:
4 Nothing in this certification shall be construed to diminish or infringe
5 upon any right protected under the Constitution of Nebraska or the First
6 Amendment to the Constitution of the United States.

7 (3) Any contract entered into subsequent to the effective date of
8 this act which fails to comply with this section shall be void as against
9 public policy.

10 Sec. 4. The Director of Administrative Services may adopt and
11 promulgate rules and regulations to implement the Anti-Discrimination
12 Against Israel Act so long as they are consistent with the act and do not
13 create any exceptions to the act.

14 Sec. 5. A company's statement that it is participating in a boycott
15 of Israel may be considered to be evidence that a company is
16 participating in a boycott of Israel.

17 Sec. 6. Nothing in the Anti-Discrimination Against Israel Act shall
18 be construed to diminish or infringe upon any right protected under the
19 Constitution of Nebraska or the First Amendment to the Constitution of
20 the United States. The act shall not be construed to conflict with local,
21 state, or federal discrimination laws.

22 Sec. 7. Since an emergency exists, this act takes effect when
23 passed and approved according to law.