

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1368

Page 1, line 1, replace "21-10" with "54-06"

Page 1, line 2, replace "44-08" with "54-44.4"

Page 1, line 2, remove "a prohibition on investments and"

Page 1, line 3, after "Israel" insert "and a prohibition on investments"

Page 1, remove lines 5 through 23

Page 2, replace lines 1 and 2 with:

"SECTION 1. A new section to chapter 54-06 of the North Dakota Century Code is created and enacted as follows:

Investments - Prohibition - Israel boycott.

1. As used in this section "boycott Israel" means engaging in refusals to deal, terminating business activities, or other similar commercial actions intended to limit commercial relations with persons doing business in Israel or in Israeli-controlled territories when the actions are taken:
 - a. In compliance or adherence to calls for a boycott of Israel, other than those boycotts under Pub. L. No. 96-72 [50 U.S.C. 2407(c)]; or
 - b. In a manner that discriminates on the basis of nationality, national origin, or religion.
2. Notwithstanding any other provision of law, the state may not adopt any investment policy that would have the effect of requiring or inducing any person to boycott Israel.
3. For purposes of determining whether a company boycotts Israel, a company statement that it is participating in boycotts of Israel or that it has taken the boycott action at the request, in compliance with, or in furtherance of calls for a boycott of Israel, can be considered as one type of evidence that a company is participating in a boycott of Israel when accompanied with the conduct described under subsection 1. An expressive activity directed at a specific person or a governmental action may not be considered evidence of a boycott of Israel."

Page 2, replace lines 3 and 4 with:

"SECTION 2. A new section to chapter 54-44.4 of the North Dakota Century Code is created and enacted as follows:"

Page 2, line 13, after the second underscored comma insert "or"

Page 2, line 14, remove ", or other unreasonable basis"

Page 2, remove lines 19 through 23

Page 2, line 24, remove "Notwithstanding any other provision of law, a public entity may not enter a contract"

Page 2, remove lines 25 through 30

Page 3, replace lines 1 through 5 with "A state entity that enters a contract that includes a provision prohibiting discrimination shall require the contract to include a provision prohibiting a party to the contract from boycotting Israel for the duration of the contract. Failure to comply with this subsection does not affect the enforceability of a contract."

Re-number accordingly