

# HOUSE BILL NO. 2339

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SANDER.

4649H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To amend chapter 8, RSMo, by adding thereto one new section relating to property lease contracts with public entities.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 8, RSMo, is amended by adding thereto one new section, to be known as section 8.299, to read as follows:

**8.299. 1. For purposes of this section, the following terms mean:**

(1) "Affiliate of the company", any person or entity that is controlled by or is under common control with the company, whether through stock ownership or otherwise;

(2) "Company", any domestic or foreign sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, nonprofit corporation, or other domestic or foreign entity or business association including, but not limited to, any wholly-owned subsidiary, majority-owned subsidiary, parent company, or affiliate of such an entity or business association;

(3) "COVID-19 vaccine mandate", any employer's policy requiring employees to receive any of the COVID-19 vaccines in order to retain employment;

(4) "Employer", any person employing an employee or acting directly or indirectly in the interest of an employer in relation to an employee but does not include the federal government or any federal agency;

(5) "Government entity", any agency or instrumentality of the state government or any political subdivision;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18           **(6) "Institution", any public community college, public college, or public**  
19 **university located in the state of Missouri;**

20           **(7) "Political subdivision", any municipality, school district, special district,**  
21 **local governmental body, county, city, town, or village;**

22           **(8) "Public entity", the state or any officer, official, authority, board, or**  
23 **commission of the state and any county, city, or other political subdivision of the state or**  
24 **any institution supported in whole or in part by public funds.**

25           **2. No public or government entity, or any employee thereof, shall enter into a**  
26 **contract agreement to rent state-owned or financed properties to a third party or a**  
27 **contract agreement to rent property owned by a third party, where the third-party**  
28 **employer or company has a COVID-19 vaccine mandate policy in place contrary to**  
29 **state law.**

30           **3. No employer, company, or affiliate of the company, having entered into a**  
31 **contract agreement with the public or government entity, shall enforce a policy**  
32 **mandating employees to receive a COVID-19 vaccine contrary to state law.**

33           **4. Any employer, company, or affiliate of the company that enters into a contract**  
34 **agreement with a public or government entity after August 28, 2022, and is found to be**  
35 **in violation of the provisions of this section shall be in material breach of its contract.**

36           **5. Any employee of a public or government entity who knowingly enters into a**  
37 **contract agreement with a third-party employer, company, or affiliate of the company**  
38 **that has a COVID-19 vaccine mandate policy contrary to state law shall be subject to**  
39 **termination, and the final determination shall be left to the discretion of the employee's**  
40 **employer. An employee who has been terminated for violation of this section may**  
41 **appeal the final determination based upon the employer's established protocols.**

42           **6. All contract agreements to rent state-owned or financed properties to a third**  
43 **party or contract agreements to rent property owned by a third-party for use by a**  
44 **public or government entity shall contain a contract provision stating that the third-**  
45 **party employer, company, or affiliate of the company shall not have a COVID-19**  
46 **vaccine mandate policy in place at any time that is contrary to state law throughout the**  
47 **duration of the rental agreement.**

48           **7. This section applies only to rental property contracts entered into after**  
49 **August 28, 2022, and does not apply retroactively to existing contractual obligations.**

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