

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 343

Introduced by Slama, 1.

Read first time January 12, 2023

Committee:

- 1 A BILL FOR AN ACT relating to government; to prohibit public contracts
- 2 with companies that boycott Israel as prescribed; to define terms;
- 3 and to provide severability.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. For purposes of sections 1 to 2 of this act:

2 (1)(a) Boycott means engaging in refusals to deal, terminating
3 business activities, or other similar commercial actions that are
4 intended to limit commercial relations with persons or entities doing
5 business in Israel or in Israeli-controlled territories, when such
6 actions are taken:

7 (i) In compliance with or adherence to calls for a boycott of
8 Israel, except for a foreign boycott to which 50 U.S.C. 4842(c) applies,
9 as such section existed on January 1, 2023; or

10 (ii) In a manner that discriminates on the basis of ancestry, race,
11 nationality, national origin, ethnic group, or religion.

12 (b) A company's statement that it is participating in a boycott of
13 Israel, or that it has taken the boycott action at the request of, in
14 compliance with, or in furtherance of calls for a boycott of Israel, may
15 be considered as evidence that a company is participating in a boycott of
16 Israel when accompanied by the conduct described in subdivision (1)(a) of
17 this section;

18 (2) Company means any organization, association, corporation,
19 partnership, joint venture, limited partnership, limited liability
20 partnership, limited liability company, or other entity or business
21 association, including a wholly owned subsidiary, majority owned
22 subsidiary, parent company, or affiliate having more than ten full-time
23 employees; and

24 (3) Public entity means the State of Nebraska and any political
25 subdivision of the state, including all boards, commissions, agencies,
26 institutions, authorities, and all bodies politic and corporate of the
27 state created by or in accordance with state law, and includes state
28 colleges, state universities, and public employee retirement systems.

29 Sec. 2. (1) A public entity shall not enter into any contract with
30 a company for goods or services unless the contract includes a written
31 certification that the company does not currently engage in, and agrees

1 for the term of the contract not to engage in, a boycott of Israel.

2 (2) A public entity shall not adopt any procurement, investment, or
3 other policy that has the effect of allowing, inducing, or requiring a
4 person or company to boycott Israel.

5 (3) This section does not apply to contracts with a value of less
6 than one hundred thousand dollars or to companies with fewer than ten
7 full-time employees.

8 (4) This section supersedes and preempts any procurement or
9 investment rule, regulation, ordinance, or resolution of any public
10 entity which permits public contracts for goods or services of one
11 hundred thousand dollars or more with a company engaged in boycott
12 activity.

13 Sec. 3. If any section in this act or any part of any section is
14 declared invalid or unconstitutional, the declaration shall not affect
15 the validity or constitutionality of the remaining portions.