

Chapter: 21

Session: 2017 Regular Session

Topic: Discrimination against Israel in state contracting

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Overview

This act prohibits state contracts with vendors that engage in discrimination against Israel, or against persons or entities that do business in Israel, when making decisions related to the operation of the vendor's business. These requirements apply to executive branch agency contracts, including MnSCU, and contracts involving the legislative branch.

A definition of "discrimination" is included. The definition includes, but is not limited to, "engaging in refusals to deal, terminating business activities, or other actions that are intended to limit commercial relations with Israel, or persons or entities doing business in Israel," when those actions are taken in a way that discriminates on the basis of nationality or national origin without a valid business reason for doing so.

The act clarifies that it does not restrict a vendor's rights under either the First Amendment to the United States Constitution or the Minnesota Constitution.

An exception for contracts of less than \$1,000 is provided. In addition, the commissioner of administration (or the legislature, in the case of legislative contracts) would be permitted to waive application of this section if compliance is not practicable or is not in the best interests of the state.

Note: A separate law, enacted during the 2017 special session, increases the exception to include contracts of less than \$50,000. See Laws 2017, First Special Session chapter 4, article 2, sections 50 and 51.

This act applies to contracts entered into on or after July 1, 2017.