

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Rader offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 10 and 11, insert:

5 Section 1. Restrictions on business entities doing
6 business with state sponsors of terrorism.-

7 (1) DEFINITIONS.-For purposes of this section:

8 (a) "Business entity" means:

9 1. Any proprietorship, firm, enterprise, franchise,
10 organization, association, corporation, partnership, joint
11 venture, limited partnership, limited liability partnership,
12 limited liability company, trust, or other entity or business
13 association, including all wholly owned subsidiaries, majority-
14 owned subsidiaries, parent companies, or affiliates of such
15 entities or business associations; or

16 2. Any self-employed individual,

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18 whether fictitiously named or not, doing business in this state,
19 that exists for the purpose of making a profit.

20 (b) "Doing business with a state sponsor of terrorism"
21 means:

22 1. Engaging in commerce in any form with a state sponsor
23 of terrorism, including, but not limited to, acquiring,
24 developing, maintaining, owning, selling, possessing, leasing,
25 or operating equipment, facilities, personnel, products,
26 services, personal property, real property, or any other
27 apparatus of business or commerce.

28 2. Engaging in or in any way benefiting from dealings
29 with, or activities related to or involving, a state sponsor of
30 terrorism.

31 (c) "State sponsor of terrorism" means any country
32 designated by the United States Secretary of State as a state
33 sponsor of terrorism.

34 (2) PROHIBITED CONTRACTS.—The state may not enter into,
35 award, or renew a contract or purchasing agreement for
36 commodities or contractual services with, or receive or solicit
37 proposals for the acquisition of commodities or contractual
38 services from, any business entity doing business, either
39 directly or indirectly, with a state sponsor of terrorism.

40 (3) CESSATION OF PROHIBITION.—The prohibition under
41 subsection (2) is removed if the Congress or the President of
42 the United States affirmatively and unambiguously declares, by
43 means including, but not limited to, legislation, executive
44 order, or written certification from the President to Congress,

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45 that the prohibition of contracts, awards, and agreements
46 provided in subsection (2) interferes with the conduct of United
47 States foreign policy.

48 (4) IDENTIFICATION OF BUSINESS ENTITIES; ENFORCEMENT.—The
49 Department of State, in conjunction with the Department of
50 Management Services, the Department of Business and Professional
51 Regulation, the Department of Legal Affairs, and the State Board
52 of Administration, shall develop a mechanism for the
53 identification of business entities doing business with a state
54 sponsor of terrorism and for the enforcement of this section.

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57 **T I T L E A M E N D M E N T**

58 Remove lines 2-3 and insert:

59 An act relating to restrictions on business with foreign
60 countries; providing definitions; prohibiting the state
61 from entering into, awarding, or renewing a contract or
62 purchasing agreement for commodities or contractual
63 services with, or receiving or soliciting proposals for
64 the acquisition of commodities or contractual services
65 from, any business entity doing business with a state
66 sponsor of terrorism; providing for the cessation of such
67 prohibition under specified circumstances; directing the
68 Department of State, in conjunction with the Department of
69 Management Services, the Department of Business and
70 Professional Regulation, the Department of Legal Affairs,
71 and the State Board of Administration, to develop a
72 mechanism for the identification of business entities

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73 doing business with a state sponsor of terrorism and for
74 the enforcement of the act; defining the term