
SENATE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Senator Long to Reengrossed House Bill No. 245 by Representative Hodges

1 AMENDMENT NO. 1

2 Delete Senate Floor Amendment SFA HB245 HESSM Nos. 1 through 3, proposed by
3 Senator Appel and adopted by the Senate on May 30, 2019.

4 AMENDMENT NO. 2

5 On page 1, delete lines 7 through 13, and insert the following:

6 "§1602.1. Prohibition of discriminatory boycotts of Israel in state procurement7 A. The legislature finds all of the following:8 (1) Israel is a faithful friend of the United States and the state of Louisiana.9 (2) The state of Louisiana does not support boycott-related tactics that are
10 used to threaten the sovereignty and security of allies and trade partners of the United
11 States.12 (3) In 2005, a Boycott, Divestment, and Sanctions (BDS) campaign was
13 initiated against Israel that pressured companies to sever commercial ties with Israel
14 for the purpose of economically isolating the country.15 (4) Israel and the state of Louisiana enjoy a robust trading relationship that
16 is in the best interests of the people of Louisiana.17 (5) The refusal by a company operating in Louisiana to do business with
18 Israel with the goal of advancing the BDS campaign harms the Israel-Louisiana
19 relationship and the Louisiana economy.20 (6) The state of Louisiana unequivocally rejects the BDS campaign and
21 stands firmly with Israel.22 B.(1) Consistent with existing Louisiana non-discrimination provisions and
23 regulations governing purchases, executive branch agencies may not execute a
24 procurement contract with a vendor if that vendor is engaging in a boycott of Israel.25 (2) Executive branch agencies shall reserve the right to terminate any
26 procurement contract with a vendor that engages in a boycott of Israel during the
27 term of the contract.28 C.(1) A vendor shall certify in writing, when a bid is submitted or when a
29 procurement contract is awarded, that:30 (a) It is not engaging in a boycott of Israel.31 (b) It will, for the duration of its contractual obligations, refrain from a
32 boycott of Israel.33 (2) All competitive sealed bids and proposals issued for procurement
34 contracts with executive branch agencies shall include the text of the following
35 certification:36 "By submitting a response to this solicitation, the bidder or proposer
37 certifies and agrees that the following information is correct: In preparing its
38 response, the bidder or proposer has considered all proposals submitted from
39 qualified, potential subcontractors and suppliers, and has not, in the
40 solicitation, selection, or commercial treatment of any subcontractor or
41 supplier, refused to transact or terminated business activities, or taken other
42 actions intended to limit commercial relations, with a person or entity that is
43 engaging in commercial transactions in Israel or Israeli-controlled territories,
44 with the specific intent to accomplish a boycott or divestment of Israel. The
45 bidder also has not retaliated against any person or other entity for reporting
46 such refusal, termination, or commercially limiting actions. The state
47 reserves the right to reject the response of the bidder or proposer if this
48 certification is subsequently determined to be false, and to terminate any
49 contract awarded based on such a false response."

1 D.(1) The commissioner of the division of administration or his designee
2 shall oversee this Section to ensure implementation as quickly and efficiently as
3 practicable.

4 (2) The commissioner or his designee may promulgate regulations to
5 implement the provisions of this Section so long as they are consistent with this
6 Section and do not create any exceptions to it.

7 E. This Section shall not operate to modify any obligations of executive
8 branch agencies under state or federal law.

9 F. This Section does not apply to procurement contracts with a value of less
10 than one hundred thousand dollars and for vendors with fewer than five employees.

11 G. The commissioner of the division of administration or his designee may
12 waive application of this Section on a procurement contract if he determines that
13 compliance is not practicable or in the best interests of the state.

14 Section 2. If any provision or item of this Act, or the application thereof, is
15 held invalid, such invalidity shall not affect other provisions, items, or applications
16 of the Act which can be given effect without the invalid provision, item, or
17 application and to this end the provisions of this Act are hereby declared severable."

18 AMENDMENT NO. 3

19 On page 1, line 14, change "Section 2." to "Section 3."