

Legalizing Othering: The United States of Islamophobia

Appendix A

Statements of purpose of legislation enacted into law that singles out Muslims in US state legislatures based on ALAC model legislation

Alabama

SB 4: “Proposing an amendment to the Constitution of Alabama of 1901, to prohibit the application of foreign law in violation of rights guaranteed natural citizens by the United States and Alabama Constitutions, and the laws and public policy of the state, without application to business entities.”

Arizona

HB 2064: “Amending Title 12, Arizona Revised Statutes, By Adding Chapter 22; Relating To The Application of Foreign Laws.”

Florida

SB 386: “An act relating to the application of foreign law in courts; creating s. 61.040, F.S.; defining the term “strong public policy”; prohibiting a court from enforcing certain choice of law or forum selection contractual provisions; requiring a court to review judgments and orders of foreign courts for comity before enforcing such orders or judgments; specifying judgments and orders of foreign courts that are not entitled to comity; providing that the attempt to apply the law of a foreign country is void under certain circumstances; prohibiting a trial court from dismissing an action on the grounds that a satisfactory remedy may be more conveniently sought in a foreign country; providing an exception; providing applicability; providing an effective date.”

Kansas

SB 79: “AN ACT concerning the protection of rights and privileges granted under the United States or Kansas constitutions.”

Sec. 2. As used in this act, "foreign law," "legal code" or "system" means any law, legal code or system of a jurisdiction outside of any state or territory of the United States, including, but not limited to, international organizations and tribunals and applied by that jurisdiction’s courts, administrative bodies or other formal or informal tribunals.

Louisiana

ACT No. 369 or SB 757: “AN ACT to enact R.S. 51:705(C)(1)(p), relative to securities; to provide relative to the registration of securities subject to certain laws or practices; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.”

ACT No. 714 or HB 785: “AN ACT to enact Chapter 1 of Code Title I of Code Book IV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:6000, relative to the application of foreign laws; to provide for definitions; to provide for legislative findings; to prohibit the enforcement of foreign laws under certain circumstances; to provide for applicability to certain persons; and to provide for related matters.”

ACT No. 886 or SB 460: “AN ACT to enact Chapter 1 of Code Title I of Code Book IV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:6000, relative to the application of foreign laws; to provide for definitions; to provide for legislative findings; to prohibit the enforcement of foreign laws under certain circumstances; to provide for applicability to certain persons; and to provide for related matters.”

Mississippi

HB 177: “An Act to address the application of foreign laws in judicial proceedings in this state; to provide legislative findings; to define certain terms; to prohibit the use and enforcement of foreign laws under certain circumstances; to provide for applicability in certain circumstances; and for related purposes.”

North Carolina

SB 596: “An Act to Clarify Existing Law Regarding the Enforcement of Foreign-Country Judgments.”

HB 695: “An Act to protect rights and privileges granted under the United States and North Carolina constitutions in the application of foreign law, to modify certain laws pertaining to abortion, to limit abortion coverage under health insurance plans offered under a health benefit exchange operating in north Carolina or offered by a county or municipality, to prohibit a person from performing or attempting to perform an abortion when the sex of the unborn child is a significant factor in seeking the abortion, to direct the department of health and human services to amend rules pertaining to clinics certified by the department of health and human services to be suitable facilities for the performance of abortions, and to amend the women's right to know act.”

HB 522: “An Act to Protect Rights and Privileges Granted Under the United States and North Carolina Constitutions in the Application of Foreign Law.”

Oklahoma

HB 1060: “An Act relating to civil procedure; stating legislative findings; recognizing right to contract; defining terms; declaring certain rulings and decisions to be in violation of public policy and making such rulings and decisions void and unenforceable; declaring certain contracts and contractual provisions to be in violation of public policy and making such contracts and contractual provisions void and unenforceable; requiring denial of certain motions relating to venue; excluding certain legal entities from scope of law; providing for interpretation of law; providing for codification; and providing an effective date.”

South Dakota

HB 1253: “For an Act Entitled, An Act to prohibit the judicial enforcement of any religious codes.”

Tennessee

HB 1353: “An Act to amend Tennessee Code Annotated, Title 38; Title 39; Title 40; Title 45; Title 55 and Title 58, relative to terrorism.”

HB 3768: “AN ACT to protect rights and privileges granted under the United States or Tennessee Constitution.”

Texas

HB 79: Amend HB 79 (house committee printing) by adding the following appropriately numbered article to the bill and renumbering subsequent Articles and Sections of the bill accordingly: Article _____. Application of Foreign Laws

HB 274: A bill to be entitled an act relating to the reform of certain remedies and procedures in civil actions and family law matters.

Washington

SB 5498: “Provides that Washington courts, administrative agencies, or other Washington tribunals may not enforce any order issued under foreign law or by a foreign legal system that is manifestly incompatible with public policy. Provides that a foreign order is presumed manifestly incompatible with public policy when enforcement of the order would result in a violation of any right guaranteed by the state or federal constitutions.”