

1 AN ACT relating to foreign laws.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 446 IS CREATED TO  
4 READ AS FOLLOWS:

5 (1) As used in this section, the term "foreign law, legal code, or system" means any  
6 law, legal code, or system of a jurisdiction outside of any state or territory of the  
7 United States, including international organizations and tribunals.

8 (2) (a) A ruling or decision of a court, arbitration panel, tribunal, or administrative  
9 agency which is based, in whole or in part, on Sharia or any foreign law,  
10 legal code, or system; or

11 (b) A contract, or contractual provision if severable, which:

12 1. Provides for the choice of Sharia or any foreign law, legal code, or  
13 system; or

14 2. Grants jurisdiction to a foreign tribunal;  
15 is void and unenforceable if the ruling, decision, contract, or contractual  
16 provision allows the application of Sharia or any foreign law, legal code, or  
17 system that denies the parties the fundamental liberties, rights, and privileges  
18 guaranteed under the Constitution of the United States or the Constitution of  
19 Kentucky.

20 (3) This section shall not:

21 (a) Disapprove or abrogate existing precedent of the Supreme Court of  
22 Kentucky;

23 (b) Limit adjudication of ecclesiastical matters of a religious organization,  
24 including the selection, appointment, discipline, or removal of clergy or  
25 interpretation of doctrine;

26 (c) Apply to corporations, partnerships, or associations that voluntarily subject  
27 themselves to foreign law or courts; or

- 1        (d) Apply where federal law preempts state law, including obligations under  
2        treaties or international agreements.