

**TOWN OF NORTH HEMPSTEAD**  
**LOCAL LAW NO. OF 2017**

**A LOCAL LAW AMENDING CHAPTER 24 OF THE TOWN CODE**  
**ENTITLED "GOVERNMENTAL OPERATIONS"**

**BE IT ENACTED** by the Town Board of the Town of North Hempstead, as follows:

**Section 1. Legislative Intent.**

The Board finds that it is in the best interest of the Town of North Hempstead to make amendments to Chapter 24 of the Code of the Town of North Hempstead entitled "Governmental Operations" by establishing Article IX entitled "Contract Restrictions" in order to prohibit the Town from contracting with companies that participate in the movement to boycott, divest from investing in and sanction Israel.

**Section 2.**

**Chapter 24 of the Town Code is hereby amended as follows:**

**Article IX. Contract Restrictions**

**§ 24-63. Legislative intent.**

**This Town Board hereby finds and determines the following:**

- (a) The Town is a leader in protecting civil rights and preventing discrimination on the basis of religion, race, national origin, age, sex, sexual orientation, gender identity, gender expression, and disability.**
- (b) Both freedom of speech and religion are cornerstones of law and public policy in the United States, and the Town strongly supports and affirms these important freedoms.**
- (c) The exercise of First Amendment rights is not a justification for engaging in acts of unlawful discrimination.**
- (d) The Town must take action to avoid supporting or financing unlawful discrimination.**
- (e) It is the intent of the Town Board to ensure that taxpayer funds are not used to do business with or otherwise support any private entity that engages in discriminatory actions against the Jewish people or individuals of the Jewish faith under the pretext of a constitutionally protected boycott of the State of Israel.**

§ 24-64. Definitions.

For the purpose of this chapter, certain words are defined as follows:

BOYCOTT OF ISRAEL—

Engaging in refusals to deal with, terminating business activities with, or taking other actions to limit commercial relations with Israel, or persons or entities doing business in Israel or in Israeli-controlled territories, when such actions are taken:

- a. In a manner that discriminates on the basis of nationality, national origin, religion or other unreasonable basis that is not founded on a valid business reason.
- b. In compliance or adherence to calls for a boycott of Israel other than those boycotts to which 50 U.S.C. § 4607(c) applies. The exception for “boycotts to which 50 U.S.C. § 4607(c) applies” shall be narrowly construed, shall not include boycotts primarily called for by entities that are not recognized foreign nations, and shall be limited or no longer apply if 50 U.S.C. § 4607(c) is limited or superseded by future federal legislation or case law.

COMPANY-- Any sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association, including all wholly owned business subsidiaries, majority owned subsidiaries, parent companies or affiliates of such entities or business associations that exists for the purpose of making profit.

§ 24-65. Prohibition against Contracting with Companies Boycotting Israel.

The Town shall not enter into any contract with, or otherwise do business with, an individual or company identified by the New York State Office of General Services or the Office of the New York State Comptroller as engaging in a boycott of Israel.

§ 24-66. Severability.

If any clause, sentence, paragraph, subdivision, or part of this article or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this article or in its application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

**Section 3.**

This Local Law shall take effect upon filing with the Secretary of State.