



LEGISLATIVE POSITION: HB 1460 (Young, Acevero, Alston, and Martinez) / SB XXX
(Unknown) - State Procurement - Prohibited Certifications - Boycotts of Foreign Countries

Jewish Voice for Peace Action (JVPA) is a national grassroots Jewish organization in support of Palestinian rights. We have over 10,000 supporters in Maryland, and chapters in Baltimore City, the DC Metro area, and University of Maryland College Park.

JVPA Local Leaders in Maryland **strongly support** this bill, which protects the crucial right to boycott, a key tactic in nonviolent campaigns against injustice. The bill does so by overturning an Executive Order (EO) that limits the ability to participate in the Boycott, Divestment, and Sanctions (BDS) movement against the State of Israel.

- Political boycotts are a First Amendment-protected right that the EO clearly violates.
- The EO willfully misstates the fundamental purpose and rationale for BDS in order to limit protected political speech.
- The EO misrepresents the BDS movement when it asserts that those participating in a boycott of Israel are engaging in antisemitic discrimination “because of [a person or entity’s] Israeli national origin, or residence or incorporation in Israel and its territories.”¹ However, the stated aims of the BDS movement are to force change to the Israeli government’s discriminatory policies towards Palestinians and occupation of Palestinian land.² As such, they should be considered protected based on the Supreme Court ruling stating that “**boycotts to ‘bring about political, social, and economic change’ are a form of political speech.**”³
- Anti-BDS laws set a dangerous precedent for **restricting free speech on other issues.**⁴ For instance, bills have been introduced to prohibit shareholders from voting based on environmental, social, or governance criteria and to prevent governments from contracting with entities that “discriminate” against the firearm and ammunition industries or that boycott oil, gas, mining, or energy production companies.⁵
- Many Jewish Marylanders are committed to participating in the BDS movement. **It is not the place of the government to decide the right way to be Jewish.**
- Regardless of one’s views on the BDS movement, Maryland must not enable further attacks on protected political speech by allowing this EO to stand.
- Bills to put these restrictions in place in Maryland failed to pass the legislature,⁶ leading to Governor Hogan’s Executive Order. This indicates that these restrictions are **not the will of the people**, and our laws should reflect that.

1 [Executive Order 01.01.2017.25](#) - “Prohibiting Discriminatory Boycotts of Israel in State Procurement”

2 [Palestinian Civil Society Call for BDS](#)

3 [Letter of opposition to MD Feb 2017 \(against SB739/HB949\)](#) linked from [Right to Boycott](#) at Defending Rights & Dissent

4 [Protect the Right to Boycott: Oppose Anti-BDS Legislation](#)

5 [Rightwing group pushing US states for law blocking ‘political boycott’ of firms](#)

6 [How grassroots activists defeated anti-BDS legislation in Maryland](#)