

AMENDMENT TO H.R. 5631
OFFERED BY MR. DESANTIS OF FLORIDA

Add at the end the following:

1 **TITLE V—RESTRICTIONS BY**
2 **STATE AND LOCAL GOVERN-**
3 **MENTS ON INVESTMENT AC-**
4 **TIVITIES IN IRAN**

5 **SEC. 501. SHORT TITLE.**

6 This title may be cited as the “State Sanctions
7 Against Iranian Terrorism Act”.

8 **SEC. 502. AUTHORITY OF STATE AND LOCAL GOVERN-**
9 **MENTS TO RESTRICT INVESTMENT ACTIVI-**
10 **TIES IN IRAN.**

11 (a) **ADDITIONAL AUTHORITY.**—Section 202 of the
12 Comprehensive Iran Sanctions, Accountability, and Di-
13 vestment Act of 2010 (22 U.S.C. 8532) is amended as
14 follows:

15 (1) Subsection (a) is amended—

16 (A) by striking “should support” and in-
17 serting “should not interfere with”; and

18 (B) by striking “in the energy sector of
19 Iran” and all that follows through “United
20 States” and inserting “in the business sector in

1 Iran, or prohibits or limits any person from en-
2 gaging in investment activities in the business
3 sector of Iran, until such time as all Federal
4 laws that either expressly authorize or require
5 the imposition of sanctions by the Federal Gov-
6 ernment on Iran are rescinded by an Act or
7 Acts of Congress”.

8 (2) Subsection (b) is amended—

9 (A) by amending the subsection heading to
10 read as follows:

11 “(b) AUTHORITY TO RESTRICT INVESTMENT IN
12 IRAN.—”;

13 (B) by striking “may adopt and enforce
14 measures that meet” and inserting “may—

15 “(1) adopt and enforce measures—

16 “(A) that meet”;

17 (C) by moving the remaining text of sub-
18 section (b) 4 ems to the right;

19 (D) by striking “subsection (c).” and in-
20 serting “subsection (e); or”; and

21 (E) by adding at the end the following:

22 “(B) to prohibit or limit any person from
23 engaging in investment activities in Iran de-
24 scribed in subsection (c); and

1 “(2) enter into interstate compacts regarding
2 measures described in paragraph (1).

3 Enforcement of measures under this subsection may in-
4 clude the imposition of disclosure and other transparency
5 requirements to carry out paragraph (1).”.

6 (3) Subsection (c) is amended—

7 (A) in paragraph (1)—

8 (i) by striking “\$20,000,000 or more
9 in the energy sector” and inserting
10 “\$10,000,000 or more—

11 “(A) in the energy sector”;

12 (ii) by moving the remaining text of
13 paragraph (1) 2 ems to the right; and

14 (iii) by adding at the end the fol-
15 lowing:

16 “(B) in any other business enterprise in
17 Iran, including an entity that is owned or con-
18 trolled by the Government of Iran; or”; and

19 (B) in paragraph (2)—

20 (i) by striking “\$20,000,000” and in-
21 serting “\$10,000,000”; and

22 (ii) by adding after “energy sector of
23 Iran” the following: “or otherwise in a
24 business enterprise in Iran, including an

1 entity that is owned or controlled by the
2 Government of Iran”.

3 (4) Subsection (f) is amended to read as fol-
4 lows:

5 “(f) NONPREEMPTION; NO CONFLICT WITH U.S.
6 FOREIGN AND INTERNATIONAL COMMERCE POLICY.—A
7 measure of a State or local government authorized under
8 subsection (b), (i), or (j)—

9 “(1) is authorized and not preempted by any
10 Federal law or regulation, or any policy, agreement,
11 or exercise of waiver authority of the executive
12 branch; and

13 “(2) is consistent with United States Federal
14 policy, including United States foreign policy.”.

15 (5) Subsection (g) is amended by adding at the
16 end the following:

17 “(3) OWN OR CONTROL.—The term ‘own or
18 control’ means, with respect to an entity—

19 “(A) to hold more than 20 percent of the
20 equity interest by vote or value in the entity;

21 “(B) to hold a majority of seats on the
22 board of directors of the entity; or

23 “(C) to otherwise control the actions, poli-
24 cies, or personnel decisions of the entity.”.

25 (6) Subsection (h) is amended—

1 (A) in paragraph (1), by striking “or sub-
2 section (i)” and inserting “and subsections (i)
3 and (j)”; and

4 (B) in paragraph (2), by striking “sub-
5 section (i)” and inserting “subsections (i) and
6 (j)”.

7 (7) Subsection (i) is amended by adding at the
8 end the following:

9 “(3) APPLICABILITY OF PRIOR PROVISIONS.—
10 Paragraphs (1) and (2) apply with respect to this
11 section as in effect on the day before the effective
12 date of the State Sanctions Against Iranian Ter-
13 rorism Act.”.

14 (8) Section 202 is further amended—

15 (A) by redesignating subsection (j) as sub-
16 section (k); and

17 (B) by inserting after subsection (i) the
18 following:

19 “(j) APPLICABILITY OF AMENDMENTS.—

20 “(1) IN GENERAL.—Notwithstanding any other
21 provision of this section or any other provision of
22 law, a State or local government may enforce a
23 measure (without regard to the requirements of sub-
24 section (d), except as provided in paragraph (2))
25 adopted by the State or local government before the

1 date of the enactment of the State Sanctions
2 Against Iranian Terrorism Act (other than a meas-
3 ure covered by subsection (i)) that—

4 “(A) provides for the divestment of assets
5 of the State or local government from, or pro-
6 hibits the investment of the assets of the State
7 or local government in, any person that the
8 State or local government determines, using
9 credible information available to the public, en-
10 engages in investment activities in Iran (deter-
11 mined without regard to subsection (c)) or
12 other business activities in Iran that are identi-
13 fied in the measure; or

14 “(B) prohibits or limits any person from
15 engaging in investment activities in Iran de-
16 scribed in subsection (c).

17 “(2) APPLICATION OF NOTICE REQUIRE-
18 MENTS.—A measure described in paragraph (1)
19 shall be subject to the requirements of paragraphs
20 (1) and (2) and the first sentence of paragraph (3)
21 of subsection (d) on and after the date that is 2
22 years after the date of the enactment of the State
23 Sanctions Against Iranian Terrorism Act.”.

24 (b) EXEMPTION FROM SUNSET.—Section 401(a) of
25 the Comprehensive Iran Sanctions, Accountability, and

1 Divestment Act of 2010 (22 U.S.C. 855(a)) is amended,
2 in the matter preceding paragraph (1), by striking “sec-
3 tions 105 and 305” and inserting “sections 105, 202, and
4 305”.

5 (c) CONFORMING AMENDMENTS.—

6 (1) The heading for title II of the Comprehen-
7 sive Iran Sanctions, Accountability, and Divestment
8 Act of 2010 (22 U.S.C. 8531 et seq.) is amended to
9 read as follows:

10 **“TITLE II—RESTRICTIONS BY**
11 **STATE AND LOCAL GOVERN-**
12 **MENTS ON INVESTMENT AC-**
13 **TIVITIES IN IRAN”.**

14 (2) The heading for section 202 of the Com-
15 prehensive Iran Sanctions, Accountability, and Di-
16 vestment Act of 2010 (22 U.S.C. 8532) is amended
17 to read as follows:

18 **“SEC. 202. AUTHORITY OF STATE AND LOCAL GOVERN-**
19 **MENTS TO RESTRICT INVESTMENT ACTIVI-**
20 **TIES IN IRAN.”.**

21 (3) The table of contents of the Comprehensive
22 Iran Sanctions, Accountability, and Divestment Act
23 of 2010 (22 U.S.C. 8501 et seq.) is amended—

24 (A) by amending the item relating to title
25 II to read as follows:

“TITLE II—RESTRICTIONS BY STATE AND LOCAL GOVERNMENTS
ON INVESTMENT IN IRAN”;

1 and

2 (B) by amending the item relating to sec-
3 tion 202 to read as follows:

“Sec. 202. Authority of State and local governments to restrict investment ac-
 tivities in Iran.”.

4 **SEC. 503. EFFECTIVE DATE.**

5 The amendments made by this title shall apply to
6 measures adopted by a State or local government on or
7 after the date of the enactment of this Act, except as pro-
8 vided in section 202(j) of the Comprehensive Iran Sanc-
9 tions, Accountability, and Divestment Act of 2010, as
10 amended by this title.

