A BILL FOR

1 An Act requiring consideration of antisemitism by governmental entities when investigating possible discriminatory acts.

2 BE IT ENacted BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. NEW SECTION. 216F.1 Legislative findings.

The general assembly finds and declares the following:

1. Antisemitism, and harassment on the basis of actual or perceived national origin, shared ancestry, or ethnic characteristics with a religious group, remains a persistent, pervasive, and disturbing problem in contemporary American society.

2. Data shows that Jews are among the most likely of all minority groups to be victimized by incidents of hate, and such incidents are increasing at an alarming rate.

3. Campus antisemitism is systemic, broad, and deep, with recent studies showing that the number of Jewish students experiencing antisemitism on campuses across the United States had spiked sharply.

4. State officials and institutions, including educational institutions, have a responsibility to protect citizens from acts of hate and bigotry motivated by discriminatory animus, including antisemitism, and must be given the tools to do so.

5. Valid monitoring, informed analysis and investigation, and effective policymaking all require uniform definitions.

6. While there is no one exclusive definition of antisemitism, given the many forms antisemitism may take, for the purposes of this chapter, the specifically conduct-based definition of antisemitism adopted by the international holocaust remembrance alliance, which consists of over thirty nations, and subsequently used by the United States department of state and the governments of numerous other nations, has been an essential definitional tool used to determine contemporary manifestations of antisemitism, and includes useful examples of discriminatory anti-Israel acts that cross the line into antisemitism.

7. Awareness of this conduct-based definition of antisemitism, although it should not be taken as an exclusive definition, will increase understanding of the parameters of contemporary anti-Jewish crime and discrimination in certain
circumscribed areas.

Sec. 2. NEW SECTION. 216F.2 Definitions.
1. For purposes of this chapter, "antisemitism" means
the definition adopted on May 26, 2016, by the international
holocaust remembrance alliance:
A certain perception of Jews, which may be expressed as
hatred toward Jews. Rhetorical and physical manifestations
of antisemitism are directed toward Jewish or non-Jewish
individuals and/or their property, toward Jewish community
institutions and religious facilities.
2. "Antisemitism" includes the contemporary examples of
antisemitism accompanying such definition. "Antisemitism" does
not include criticism of Israel similar to that leveled against
any other country.

Sec. 3. NEW SECTION. 216F.3 Determination of discriminatory
acts — consideration of antisemitism.
In reviewing, investigating, or deciding whether there
has been a violation of any law, rule, or policy prohibiting
discriminatory acts, a governmental entity shall take into
consideration the definition of antisemitism set forth in this
chapter for purposes of determining whether an alleged act was
motivated by discriminatory antisemitic intent.

Sec. 4. NEW SECTION. 216F.4 Rules of construction.
This chapter shall not be construed to diminish or infringe
upon any right protected under the Constitution of the State of
Iowa or the first amendment to the Constitution of the United
States. This chapter shall not be construed to conflict with
local, state, or federal discrimination laws.

EXPLANATION
The inclusion of this explanation does not constitute agreement with
the explanation's substance by the members of the general assembly.

This bill requires a governmental entity reviewing,
investigating, or deciding whether there has been a violation
of any law, rule, or policy prohibiting discriminatory acts
to take into consideration the definition of antisemitism.
set forth in the bill for purposes of determining whether an
alleged act was motivated by discriminatory antisemitic intent.
The bill defines "antisemitism" as the definition adopted
on May 26, 2016, by the international holocaust remembrance
alliance ("IHRA"), including the contemporary examples of
antisemitism accompanying such definition. "Antisemitism"
does not include criticism of Israel similar to that leveled
against any other country. The IHRA definition provides:
"Antisemitism is a certain perception of Jews, which may be
expressed as hatred toward Jews. Rhetorical and physical
manifestations of antisemitism are directed toward Jewish or
non-Jewish individuals and/or their property, toward Jewish
community institutions and religious facilities". The IHRA
definition includes 11 contemporary examples of antisemitism,
including calling for, aiding, or justifying the killing
or harming of Jews in the name of a radical ideology or an
extremist view of religion.
The bill shall not be construed to diminish or infringe upon
any right protected under the Constitution of the State of Iowa
or the first amendment to the Constitution of the United States
and shall not be construed to conflict with local, state, or
federal discrimination laws.