

1 **SENATE FLOOR VERSION**

2 April 11, 2022

3 **AS AMENDED**

4 ENGROSSED HOUSE  
5 BILL NO. 3144

6 By: West (Kevin), Olsen,  
7 Roberts (Sean), Gann and  
8 McDugle of the House

9 and

10 Murdock, Jett, Bullard,  
11 Bergstrom, Leewright and  
12 David of the Senate

13 [ firearms - specifying the type of entities that  
14 must comply with certain contract requirements -  
15 effective date ]

16 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1289.31 of Title 21, unless  
19 there is created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "Ammunition" means a loaded cartridge or shot shell, case,  
22 primer, projectile, or propellant powder;

23 2. "Company" means a for-profit organization, association,  
24 corporation, partnership, joint venture, limited partnership,  
limited liability partnership, or limited liability company,  
including a wholly owned subsidiary, majority-owned subsidiary,  
parent company, or an affiliate of those entities or associations

1 that exists to make a profit. The term does not include a sole  
2 proprietorship;

3 3. "Discriminate against a firearm entity or firearm trade  
4 association" means, with respect to the entity or association, to:

5 a. refuse to engage in the trade of any goods or services  
6 with the entity or association based solely on its  
7 status as a firearm entity or firearm trade  
8 association,

9 b. refrain from continuing an existing business  
10 relationship with the entity or association based  
11 solely on its status as a firearm entity or firearm  
12 trade association, or

13 c. terminate an existing business relationship with the  
14 entity or association based solely on its status as a  
15 firearm entity or firearm trade association.

16 The term does not include the established policies of a  
17 merchant, retail seller, or platform that restrict or prohibit the  
18 listing or selling of ammunition, firearms, or firearm accessories.  
19 The term also does not include a company's refusal to engage in the  
20 trade of any goods or services, decision to refrain from continuing  
21 an existing business relationship, or decision to terminate an  
22 existing business relationship to comply with federal, state, or  
23 local laws, policies, or regulations or a directive by a regulatory  
24 agency, or for any traditional business reason that is specific to

1 the customer or potential customer and not based solely on the  
2 status of an entity or association as a firearm entity or firearm  
3 trade association;

4 4. "Firearm" means a weapon that expels a projectile by the  
5 action of explosive or expanding gases;

6 5. "Firearm accessory" means a device specifically designed or  
7 adapted to enable an individual to wear, carry, store, or mount a  
8 firearm on the individual or on a conveyance and an item used in  
9 conjunction with or mounted on a firearm that is not essential to  
10 the basic function of the firearm. The term includes a detachable  
11 firearm magazine;

12 6. "Firearm entity" means:

13 a. a firearm, firearm accessory or ammunition  
14 manufacturer, distributor, wholesaler, supplier, or  
15 retailer, and

16 b. a gun range;

17 7. "Firearm trade association" means any person, corporation,  
18 unincorporated association, federation, business league, or business  
19 organization that:

20 a. is not organized or operated for profit and for which  
21 none of its net earnings inures to the benefit of any  
22 private shareholder or individual,

23 b. has two or more firearm entities as members, and  
24

1 c. is exempt from federal income taxation under Section  
2 501(a), Internal Revenue Code of 1986, as an  
3 organization described by Section 501(c) of that code;

4 8. "Governmental entity" means any branch, department, agency,  
5 or instrumentality of state government, or any official or other  
6 person acting under color of state law, or any political subdivision  
7 of this state; and

8 9. "Sole-source provider" means a provider that alone fulfills  
9 the needs of a governmental entity for a particular product, part,  
10 or service.

11 B. The provisions of this section shall apply only to a  
12 contract that:

13 1. Is between a governmental entity and a company with at least  
14 ten (10) full-time employees; and

15 2. Has a value of at least One Hundred Thousand Dollars  
16 (\$100,000.00) that is paid wholly or partly from public funds of the  
17 governmental entity.

18 C. Except as provided by subsection D of this section, a  
19 governmental entity may not enter into a contract with a company for  
20 the purchase of goods or services unless the contract contains a  
21 written verification from the company that it:

22 1. Does not have a practice, policy, guidance, or directive  
23 that discriminates against a firearm entity or firearm trade  
24 association; and

1           2. Will not discriminate during the term of the contract  
2 against a firearm entity or firearm trade association.

3           D. The provisions of subsection C of this section shall not  
4 apply to a governmental entity that:

5           1. Contracts with a sole-source provider; or

6           2. Does not receive a bid from a company that is able to  
7 provide the written verification required by subsection C of this  
8 section.

9           E. The Director of the Office of Management and Enterprise  
10 Services shall provide oversight of and advice to governmental  
11 entities that may be subject to the provisions of this act.

12           SECTION 2. This act shall become effective November 1, 2022.

13 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
14 April 11, 2022 - DO PASS AS AMENDED

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