

SECOND REGULAR SESSION

# HOUSE BILL NO. 1163

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SOMMER (Sponsor) AND ENGLISH (Co-sponsor).

4453H.01I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 21, RSMo, by adding thereto one new section relating to states rights to limit the commerce clause from controlling goods produced or manufactured in Missouri.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 21, RSMo, is amended by adding thereto one new section, to be known as section 21.950, to read as follows:

**21.950. 1. This section shall be called and may be known as the "Intrastate Commerce Act".**

**2. The general assembly declares that the authority for this section is the following:**

**(1) The regulation of intrastate commerce is vested in the states under Amendments IX and X of the Constitution of the United States;**

**(2) Amendment IX of the Constitution of the United States guarantees to the people rights not enumerated in the Constitution and reserves to the people those rights;**

**(3) Amendment X of the Constitution of the United States codifies in law that the only powers which the federal government may exercise are those that have been delegated to it in the Constitution.**

**3. As used in this section, unless the context otherwise requires, the following terms mean:**

**(1) "Basic materials or parts", raw materials physically and directly associated with the finished product in the manufacturing process;**

**(2) "Goods", all real or personal, tangible or intangible property;**

**(3) "Produced", grown, mined, extracted, or created.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **4. All goods produced or manufactured, whether commercially or privately, within**  
18 **the boundaries of this state that are held, maintained, or retained within the boundaries**  
19 **of this state shall not be deemed to have traveled in interstate commerce and shall not be**  
20 **subject to federal law, federal regulation, or the authority of the Congress of the United**  
21 **States under its constitutional power to regulate commerce. This section shall apply to**  
22 **goods that are manufactured within this state from basic materials or parts. The authority**  
23 **of the Congress of the United States to regulate interstate commerce in basic materials or**  
24 **parts shall not include the authority to regulate goods manufactured within this state from**  
25 **such materials or parts.**

26           **5. This section shall not apply to the following:**

27           **(1) Goods manufactured within this state unless the words "Made in Missouri" are**  
28 **clearly stamped or marked on an integral part of the good;**

29           **(2) Goods produced within this state unless the words "Product of Missouri" are**  
30 **clearly stamped or marked on the container or packaging; or**

31           **(3) Goods ordered, procured, or purchased by the United States government or by**  
32 **any contractor under an agreement with the United States government.**

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