

SECOND REGULAR SESSION

HOUSE BILL NO. 2920

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SEITZ.

6632H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to firearms discrimination.

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

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be known as section 34.750, to read as follows:

34.750. 1. As used in this section, the following terms mean:

(1) "Ammunition", a loaded cartridge or shot shell case, primer, projectile, wadding, or propellant powder with or without a projectile;

(2) "Company", a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or associations that exists to make a profit, not including a sole proprietorship;

(3) "Discriminate", refusing to engage in the trade of any goods or services with an entity or association based solely on its status as a firearm entity or firearm trade association, refraining from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association, or terminating an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association. This term shall not include when the established policies of a merchant, retail seller, or platform restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories or when a company's refusal to engage in the trade of any goods or services, decision to refrain

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.

18 from continuing an existing business relationship, or decision to terminate an existing
19 business relationship is to comply with federal, state, or local law, policy, or regulation
20 or a directive by a regulatory agency or for any traditional business reason that is
21 specific to the customer or potential customer and not based solely on an entity's or
22 association's status as a firearm entity or firearm trade association. As used in this
23 subdivision, the term "status as a firearm entity or firearm trade association" includes
24 the provision of lawful products and services by, and the lawful practices of, firearm
25 entities and firearm trade associations;

26 (4) "Firearm", a weapon that expels a projectile by the action of explosive or
27 expanding gases;

28 (5) "Firearm accessory", a device specifically designed or adapted to enable an
29 individual to wear, carry, store, or mount a firearm on the individual or on a conveyance
30 and an item used in conjunction with or mounted on a firearm that is not essential to the
31 basic function of the firearm. This term includes a detachable firearm magazine;

32 (6) "Firearm entity", a firearm, firearm accessory, or ammunition
33 manufacturer, distributor, wholesaler, supplier, retailer, or a sport shooting range;

34 (7) "Firearm trade association", any person, corporation, unincorporated
35 association, federation, business league, or business organization that:

36 (a) Is not organized or operated for profit and for which none of its net earnings
37 inures to the benefit of any private shareholder or individual;

38 (b) Has two or more firearm entities as members; and

39 (c) Is exempt from federal income taxation under Section 501(a) of the United
40 States Internal Revenue Code of 1986, as an organization described by Section 501(c) of
41 that code;

42 (8) "Public entity", as defined in section 34.600.

43 2. This section applies only to a contract that:

44 (1) Is between a public entity and a company with at least ten full-time
45 employees; and

46 (2) Has a value of at least one hundred thousand dollars that is paid wholly or
47 partly from public funds of the public entity.

48 3. Except as provided in subsection 4 of this section, a public entity shall not
49 enter into a contract with a company for the purchase of goods or services unless the
50 contract contains a written verification from the company that it:

51 (1) Does not have a practice, policy, guidance, or directive that discriminates
52 against a firearm entity or firearm trade association; and

53 (2) Shall not discriminate during the term of the contract against a firearm
54 entity or firearm trade association.

55 **4. This section shall not apply to a public entity that:**

56 **(1) Contracts with a sole-source provider; or**

57 **(2) Does not receive a bid from a company that is able to provide the written**

58 **verification required by subsection 3 of this section.**

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