

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 3

COMMITTEE AMENDMENT

(Date)

I move to amend engrossed House Bill No. 3144, by substituting the attached floor substitute (Request # 3859) for the title, enacting clause and entire body of the measure.

Submitted by:


Senator Mardock

I hereby grant permission for the floor substitute to be adopted.



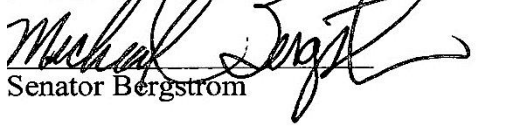
Senator Paxton, Chair (required)



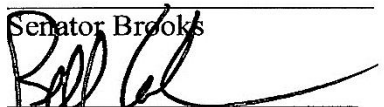
Senator Weaver



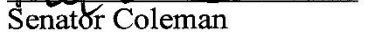
Senator Allen



Senator Bergstrom



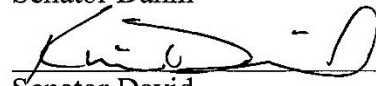
Senator Brooks



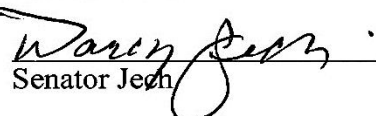
Senator Coleman

Senator Treat, President Pro Tempore

Senator Dahm

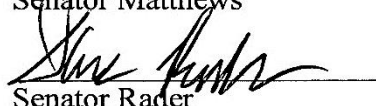


Senator David



Senator Jehu

Senator Matthews



Senator Rader

Senator Rogers

Senator McCartney, Majority Floor Leader

Note: Public Safety committee majority requires seven (7) members' signatures.

Murdock-JES-FS-HB3144
4/25/2022 8:57 AM

(Floor Amendments Only)

Date and Time Filed: 4-25-22 1:46 pm Jd

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 3144

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

8 and

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

12 FLOOR SUBSTITUTE

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 85.44F of Title 74, unless there
19 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,

1 parent company, or an affiliate of those entities or associations
2 that exists to make a profit. The term does not include a sole
3 proprietorship;

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

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

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

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

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

1 traditional business reason that is specific to the customer or
2 potential customer and not based solely on the status of an entity
3 or association as a firearm entity or firearm 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 supplier" means one supplier that can provide a
9 particular product, part, or service.

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

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

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

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

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

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 supplier; or

6 2. Utilizes a statewide contract awarded by the Office of
7 Management and Enterprise Services Central Purchasing Division.

8 E. The Office of Management and Enterprise Services Central
9 Purchasing Division may provide advice to governmental entities that
10 may be subject to the provisions of this act.

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

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13 58-2-3859 JES 4/25/2022 2:53:43 PM

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