

<DateSubmitted>

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB3144**

By: West (Kevin) of the House and Murdock of the Senate

Title: Firearms; defining terms; prohibiting governmental entities from contracting with the companies unless contracts contain certain written verification; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

**SENATE CONFEREES**

Murdock \_\_\_\_\_  
Paxton \_\_\_\_\_  
Jech \_\_\_\_\_  
Rader \_\_\_\_\_  
Weaver \_\_\_\_\_  
Brooks \_\_\_\_\_  
Matthews \_\_\_\_\_

1 CONFERENCE COMMITTEE  
2 SUBSTITUTE  
3 FOR ENGROSSED  
4 HOUSE BILL NO. 3144

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

and

Murdock, Jett, Bullard,  
Bergstrom, Leewright,  
David, Stephens, Rogers,  
and Merrick of the Senate

10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to firearms; defining terms;  
12 providing applicability provision; prohibiting  
13 governmental entities from contracting with companies  
14 without certain written verification; stating  
15 specifics of written verification; providing  
16 exceptions; authorizing the Central Purchasing  
17 Division of the Office of Management and Enterprise  
18 Services to review contracts; providing for  
19 codification; and providing an effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 85.44F of Title 74, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. As used in this section:

23 1. "Ammunition" means a loaded cartridge or shot shell, case,  
24 primer, projectile, wadding, or propellant powder;

1        2. "Company" means a for-profit organization, association,  
2 corporation, partnership, joint venture, limited partnership,  
3 limited liability partnership, or limited liability company  
4 including a wholly owned subsidiary, majority-owned subsidiary,  
5 parent company, or an affiliate of those entities or associations  
6 that exists to make a profit. The term does not include a sole  
7 proprietorship;

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

- 10            a. refuse to engage in the trade of any goods or services  
11                        with the entity or association based solely on its  
12                        status as a firearm entity or firearm trade  
13                        association,
- 14            b. refrain from continuing an existing business  
15                        relationship with the entity or association based  
16                        solely on its status as a firearm entity or firearm  
17                        trade association, or
- 18            c. terminate an existing business relationship with the  
19                        entity or association based solely on its status as a  
20                        firearm entity or firearm trade association.

21 The term does not include the policies of a vendor, merchant, retail  
22 seller, or platform that restrict or prohibit the listing or selling  
23 of ammunition, firearms, or firearm accessories. The term also does  
24 not include a company's refusal to engage in the trade of any goods

1 or services, decision to refrain from continuing an existing  
2 business relationship, or decision to terminate an existing business  
3 relationship to comply with federal, state, or local laws, policies,  
4 or regulations or a directive by a regulatory agency, or for any  
5 traditional business reason that is specific to the customer or  
6 potential customer and not based solely on the status of an entity  
7 or association as a firearm entity or firearm trade association;

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

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

16 6. "Firearm entity" means:

17 a. a firearm, firearm accessory, or firearm ammunition  
18 manufacturer, distributor, wholesaler, supplier, or  
19 retailer, and

20 b. a gun range;

21 7. "Firearm trade association" means any person, corporation,  
22 unincorporated association, federation, business league, or business  
23 organization that:

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- a. is not organized or operated for profit and for which none of its net earnings inures to the benefit of any private shareholder or individual,
- b. has two or more firearm entities as members, and
- c. is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c) of that code;

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

9. "Sole-source provider" means a supplier who provides goods or services of a unique nature or goods or services that are solely available through the supplier and the supplier is the only practicable source to provide such goods or services.

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

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

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

C. Except as provided by subsection D of this section, a governmental entity shall not enter into a contract with a company

1 for the purchase of goods or services unless the contract contains a  
2 written verification from the company that it:

3 1. Does not have a practice, policy, guidance, or directive  
4 that discriminates against a firearm entity or firearm trade  
5 association; and

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

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

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

11 2. After requesting bids, only receives bids from companies  
12 that do not comply with the provisions of subsection C of this  
13 section.

14 E. The Central Purchasing Division of the Office of Management  
15 and Enterprise Services shall have the authority and responsibility  
16 of reviewing state governmental contracts to confirm that the  
17 requirements of subsection C of this section have been satisfied.

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

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20 58-2-11529 GRS 05/10/22

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