

1 ENGROSSED SENATE
2 BILL NO. 500

By: Murdock and Bullard of the
Senate

3 and

4 West (Kevin) of the House
5
6

7 An Act relating to firearms; defining terms;
8 prohibiting governmental entities from contracting
9 with companies unless contracts contain certain
10 written verification; providing an exception for
11 specific contracts; specifying the type of entities
12 that must comply with certain contract requirements;
13 requiring the Office of Management and Enterprise
14 Services to provide oversight and advice to
15 governmental entities; providing for codification;
16 and providing an effective date.

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

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

18 A. As used in this section:

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

21 2. "Company" means a for-profit organization, association,
22 corporation, partnership, joint venture, limited partnership,
23 limited liability partnership, or limited liability company,
24 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 which includes the lawful products and
10 services provided by and lawful practices of firearm
11 entities and firearm trade associations,

12 b. refrain from continuing an existing business
13 relationship with the entity or association based
14 solely on its status as a firearm entity or firearm
15 trade association which includes the lawful products
16 and services provided by and lawful practices of
17 firearm entities and firearm trade associations, 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 which
21 includes the lawful products and services provided by
22 and lawful practices of firearm entities and firearm
23 trade associations.

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1 The term does not include the policies of a vendor, merchant, retail
2 seller, or platform that restrict or prohibit the listing or selling
3 of ammunition, firearms, or firearm accessories. The term also does
4 not include a company's refusal to engage in the trade of any goods
5 or services, decision to refrain from continuing an existing
6 business relationship, or decision to terminate an existing business
7 relationship to comply with federal, state, or local laws, policies,
8 or regulations or a directive by a regulatory agency, or for any
9 traditional business reason that is specific to the customer or
10 potential customer and not based solely on the status of an entity
11 or association as a firearm entity or firearm trade association
12 which includes the lawful products and services provided by and
13 lawful practices of firearm entities and firearm trade associations;

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

16 5. "Firearm accessory" means a device specifically designed or
17 adapted to enable an individual to wear, carry, store, or mount a
18 firearm on the individual or on a conveyance and an item used in
19 conjunction with or mounted on a firearm that is not essential to
20 the basic function of the firearm. The term includes a detachable
21 firearm magazine;

22 6. "Firearm entity" means:
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- 1 a. a firearm, firearm accessory, or ammunition
2 manufacturer, distributor, wholesaler, supplier, or
3 retailer, and
4 b. a gun range;

5 7. "Firearm trade association" means any person, corporation,
6 unincorporated association, federation, business league, or business
7 organization that:

- 8 a. is not organized or operated for profit and for which
9 none of its net earning inures to the benefit of any
10 private shareholder or individual,
11 b. has two or more firearm entities as members, and
12 c. is exempt from federal income taxation under Section
13 501(a), Internal Revenue Code of 1986, as amended, as
14 an organization described by Section 501(c) of that
15 code;

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

20 9. "Sole-source provider" means a supplier who provides goods
21 or services of a unique nature or goods or services that are solely
22 available through the supplier and the supplier is the only
23 practicable source to provide such goods or services; and
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1 10. "Contract" means a promise or set of promises constituting
2 an agreement between the parties that gives each a legal duty to the
3 other and the right to seek a remedy for the breach of those duties
4 but does not include an agreement related to investment services.

5 B. A governmental entity may not enter into a contract with a
6 company for the purchase of goods or services unless the contract
7 contains a written verification from the company that it:

8 1. Does not have a practice, policy, guidance, or directive
9 that discriminates against a firearm entity or firearm trade
10 association; and

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

13 C. The provisions of subsection B of this section shall not
14 apply to a governmental entity that:

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

16 2. Does not receive a bid from a company that is able to
17 provide the written verification required by subsection B of this
18 section.

19 D. The provisions of this section shall apply only to a
20 contract that:

21 1. Is between a governmental entity and a company with at least
22 ten full-time employees; and

