

SENATE BILL NO. 492

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

2367S.01H

ADRIANE D. CROUSE, Secretary

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", one or more loaded cartridges consisting of a primed case, propellant and with or without one or more projectiles;

(2) "Company", as defined in section 34.600 except that the term does not include a sole proprietorship;

(3) "Discriminate", refusing to offer the same business standards to a firearm entity or firearm trade association as such company offers other companies;

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

(5) "Firearm accessory", any device that is specifically designed or adapted to enable a person to wear or carry a firearm on the person or to store or mount a firearm in or on a conveyance or any attachment or device that is specifically designed or adapted to be inserted into

18 or affixed onto a firearm to enable, alter, or improve the
19 functioning or capabilities of the firearm;

20 (6) "Firearm entity", any firearm, firearm accessory,
21 or ammunition manufacturer, distributor, wholesaler,
22 supplier, or retailer or any shooting range or similar
23 places of business;

24 (7) "Firearm trade association", any person,
25 corporation, unincorporated association, federation,
26 business league or professional or business organization
27 that:

28 (a) Is not organized or operated for profit and for
29 which no part of its net earnings inures to the benefit of
30 any private shareholder or individual;

31 (b) Is an organization described in 26 United States
32 Code Section 501(c)(6) and is exempt from tax pursuant to 26
33 United States Code Section 501(a);

34 (c) Has two or more members who are a firearm entity;

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

36 2. A public entity shall not enter into a contract
37 with a company to acquire or dispose of services, supplies,
38 information technology, or construction unless the contract
39 includes a written certification that the company is not
40 currently engaged in and shall not, for the duration of the
41 contract, engage in any internal practice, policy, guidance,
42 or directive, written or unwritten, that discriminates
43 against a firearm entity or firearm trade association. This
44 section shall not apply to contracts with a total potential
45 value of less than one hundred thousand dollars or to
46 contractors with fewer than ten employees.

47 3. Any contract that fails to comply with the
48 provisions of this section shall be void against public
49 policy.

50 4. The commissioner of administration or his or her
51 designee may promulgate regulations to implement the
52 provisions of this section so long as they are consistent
53 with this section and do not create any exceptions. Any
54 rule or portion of a rule, as that term is defined in
55 section 536.010, that is created under the authority of this
56 section shall become effective only if it complies with and
57 is subject to all of the provisions of chapter 536 and, if
58 applicable, section 536.028. This section and chapter 536
59 are nonseverable and if any of the powers vested with the
60 general assembly pursuant to chapter 536, to review, to
61 delay the effective date, or to disapprove and annul a rule
62 are subsequently held unconstitutional, then the grant of
63 rulemaking authority and any rule proposed or adopted after
64 August 28, 2021, shall be invalid and void.

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