

1 STATE OF OKLAHOMA:

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

5 A. As used in this section:

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

8 2. "Company" means a for-profit organization, association,  
9 corporation, partnership, joint venture, limited partnership,  
10 limited liability partnership, or limited liability company  
11 including a wholly owned subsidiary, majority-owned subsidiary,  
12 parent company, or an affiliate of those entities or associations  
13 that exists to make a profit. The term does not include a sole  
14 proprietorship;

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

17 a. refuse to engage in the trade of any goods or services  
18 with the entity or association based solely on its  
19 status as a firearm entity or firearm trade  
20 association,

21 b. refrain from continuing an existing business  
22 relationship with the entity or association based  
23 solely on its status as a firearm entity or firearm  
24 trade association, or

1 c. terminate an existing business relationship with the  
2 entity or association based solely on its status as a  
3 firearm entity or firearm trade association.

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

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

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

23 6. "Firearm entity" means:  
24

1 a. a firearm, firearm accessory, or firearm 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 earnings 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 an  
14 organization described by Section 501(c) of that code;

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

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

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

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

3 2. Has a value of at least One Hundred Thousand Dollars  
4 (\$100,000.00) that is paid wholly or partly from public funds of the  
5 governmental entity.

6 C. Except as provided by subsection D of this section, a  
7 governmental entity shall not enter into a contract with a company  
8 for the purchase of goods or services unless the contract contains a  
9 written verification from the company that it:

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

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

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

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

18 2. After requesting bids, only receives bids from companies  
19 that do not comply with the provisions of subsection C of this  
20 section.

21 E. The Central Purchasing Division of the Office of Management  
22 and Enterprise Services shall have the authority and responsibility  
23 of reviewing state governmental contracts to confirm that the  
24 requirements of subsection C of this section have been satisfied.

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

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