

1-1 By: Schwertner, et al. S.B. No. 19
 1-2 (In the Senate - Filed March 3, 2021; March 9, 2021, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 9, 2021, reported favorably by the following vote: Yeas 5,
 1-5 Nays 2; April 9, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10	X			
1-11	X			
1-12		X		
1-13	X			
1-14		X		
1-15	X			
1-16			X	

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to prohibited contracts with companies that discriminate
 1-20 against the firearm or ammunition industries.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subtitle F, Title 10, Government Code, is
 1-23 amended by adding Chapter 2274 to read as follows:

1-24 CHAPTER 2274. PROHIBITION ON CONTRACTS WITH COMPANIES THAT
 1-25 DISCRIMINATE AGAINST FIREARM AND AMMUNITION INDUSTRIES

1-26 Sec. 2274.001. DEFINITIONS. In this chapter:

1-27 (1) "Ammunition" means a loaded cartridge case,
 1-28 primer, bullet, or propellant powder with or without a projectile.

1-29 (2) "Company" means a for-profit organization,
 1-30 association, corporation, partnership, joint venture, limited
 1-31 partnership, limited liability partnership, or limited liability
 1-32 company, including a wholly owned subsidiary, majority-owned
 1-33 subsidiary, parent company, or affiliate of those entities or
 1-34 associations that exists to make a profit.

1-35 (3) "Discriminate against a firearm entity or firearm
 1-36 trade association" means, with respect to the entity or
 1-37 association, to:

1-38 (A) refuse to engage in the trade of any goods or
 1-39 services;

1-40 (B) refrain from continuing an existing business
 1-41 relationship;

1-42 (C) terminate an existing business relationship;
 1-43 or

1-44 (D) otherwise express a prejudice against the
 1-45 entity or association.

1-46 (4) "Firearm" means a weapon that expels a projectile
 1-47 by the action of explosive or expanding gases.

1-48 (5) "Firearm accessory" means a device specifically
 1-49 designed or adapted to enable an individual to wear, carry, store,
 1-50 or mount a firearm on the individual or on a conveyance and an item
 1-51 used in conjunction with or mounted on a firearm that is not
 1-52 essential to the basic function of the firearm. The term includes a
 1-53 detachable firearm magazine.

1-54 (6) "Firearm entity" means:

1-55 (A) a firearm, firearm accessory, or ammunition
 1-56 manufacturer, distributor, wholesaler, supplier, or retailer; and

1-57 (B) a sport shooting range as defined by Section
 1-58 250.001, Local Government Code.

1-59 (7) "Firearm trade association" means any person,
 1-60 corporation, unincorporated association, federation, business
 1-61 league, or business organization that:

2-1 (A) is not organized or operated for profit and
2-2 for which none of its net earnings inures to the benefit of any
2-3 private shareholder or individual;

2-4 (B) has two or more firearm entities as members;
2-5 and

2-6 (C) is exempt from federal income taxation under
2-7 Section 501(a), Internal Revenue Code of 1986, as an organization
2-8 described by Section 501(c)(6) of that code.

2-9 (8) "Governmental entity" has the meaning assigned by
2-10 Section 2251.001.

2-11 Sec. 2274.002. PROVISION REQUIRED IN CONTRACT. (a) This
2-12 section applies only to a contract to be paid partly or wholly from
2-13 public funds between a governmental entity and a company with at
2-14 least 10 full-time employees that has a value of at least \$100,000.

2-15 (b) A governmental entity may not enter into a contract with
2-16 a company for the purchase of goods or services unless the contract
2-17 contains a written verification from the company that it:

2-18 (1) does not have a written or unwritten internal
2-19 practice, policy, guidance, or directive that discriminates
2-20 against a firearm entity or firearm trade association based solely
2-21 on its status as a firearm entity or firearm trade association; and

2-22 (2) will not discriminate during the term of the
2-23 contract against a firearm entity or firearm trade association
2-24 based solely on its status as a firearm entity or firearm trade
2-25 association.

2-26 SECTION 2. The change in law made by this Act applies only
2-27 to a contract entered into on or after the effective date of this
2-28 Act. A contract entered into before the effective date of this Act
2-29 is governed by the law as it existed immediately before the
2-30 effective date of this Act, and that law is continued in effect for
2-31 that purpose.

2-32 SECTION 3. This Act takes effect September 1, 2021.

2-33 * * * * *