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**SENATE COMMITTEE AMENDMENTS**

2024 Regular Session

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 234 by Senator Miguez

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1 AMENDMENT NO. 1

2 On page 1, line 4, after "applicability;" and before "to" insert the following:

3 "to authorize the Attorney General or a district attorney to take legal action  
4 against a company for discrimination against firearm associations, retailers,  
5 and manufacturers;"

6 AMENDMENT NO. 2

7 On page 2, line 9, after "**association.**" insert "**Status includes the lawful products and**  
8 **services provided by and lawful practices of firearm entities and firearm trade**  
9 **associations.**"

10 AMENDMENT NO. 3

11 On page 2, line 12, after "**association.**" insert "**Status includes the lawful products and**  
12 **services provided by and lawful practices of firearm entities and firearm trade**  
13 **associations.**"

14 AMENDMENT NO. 4

15 On page 2, line 22, after "**trade association**" insert "**Status includes the lawful products**  
16 **and services provided by and lawful practices of firearm entities and firearm trade**  
17 **associations.**"

18 AMENDMENT NO. 5

19 On page 3, between lines 19 and 20, insert the following:

20 "**(8) Public entity**" means and includes the state of Louisiana, or any  
21 **agency, board, commission, department, or public corporation of the state,**  
22 **created by the constitution or statute or pursuant thereto, or any political**  
23 **subdivision of the state, including but not limited to any political subdivision as**  
24 **defined in Article VI Section 44 of the Constitution of Louisiana, and any public**  
25 **housing authority, public school board, or any public officer whether or not an**  
26 **officer of a public corporation or political subdivision.**"

27 AMENDMENT NO. 6

28 On page 3, line 23, change "**partly or wholly**" to "**primarily**"

29 AMENDMENT NO. 7

30 On page 3, line 24, change "**ten**" to "**fifty**"

31 AMENDMENT NO. 8

32 On page 3, line 26, after "**It is renewed**" delete "**, amended.**"

1 AMENDMENT NO. 9

2 On page 4, between lines 3 and 4, insert the following:

3 "(3) Notwithstanding the provisions of Paragraph (1) of this Subsection,  
4 the provisions of this Section shall not apply to a company in a multiple party  
5 contract that will receive less than one hundred thousand dollars over the term  
6 of the contract."

7 AMENDMENT NO. 10

8 On page 4, between lines 13 and 14, insert the following:

9 "D. If a written verification as provided for in Subsection C of this  
10 Section is unintentionally omitted from a public entity's contract with a  
11 company, it shall not result in such contract being void or unenforceable.  
12 Reasonable opportunity shall be provided to cure the omission after the public  
13 entity and each party to the contract receives written notice of such omission.  
14 If the omission is not cured, the contract shall be void and unenforceable.

15 E. If a public entity learns or is informed by the attorney general or a  
16 district attorney that a company has made the written verification required in  
17 Subsection C of this Section but engaged in discrimination against a firearm  
18 entity or firearm trade association at the time the verification was made or  
19 during the duration of the contract, the public entity shall immediately take  
20 steps necessary to terminate the contract in a commercially reasonable manner.

21 F. If the attorney general or a district attorney determines that a  
22 company has made the written verification required in Subsection C of this  
23 Section but was engaged in discrimination against a firearm entity or firearm  
24 trade association at the time the verification was made or during the duration  
25 of the contract, the attorney general or district attorney may file a cause of  
26 action against the company for breach of contract, fraudulent  
27 misrepresentation, or any other legal grounds determined appropriate by the  
28 attorney general or district attorney. If the attorney general or district attorney  
29 prevails in such action, the court shall award reasonable attorneys' fees and  
30 costs to the state or district attorney. Any actual damages and punitive damages  
31 determined appropriate by the court shall be awarded to the public entity."

32 AMENDMENT NO. 11

33 On page 5, line 4, after "association." insert "Status includes the lawful products and  
34 services provided by and lawful practices of firearm entities and firearm trade  
35 associations."

36 AMENDMENT NO. 12

37 On page 5, line 7, after "association." insert "Status includes the lawful products and  
38 services provided by and lawful practices of firearm entities and firearm trade  
39 associations."

40 AMENDMENT NO. 13

41 On page 5, line 17, after "trade association" insert "Status includes the lawful products  
42 and services provided by and lawful practices of firearm entities and firearm trade  
43 associations."

44 AMENDMENT NO. 14

45 On page 6, line 28, change "partly or wholly" to "primarily"

1 AMENDMENT NO. 15

2 On page 6, line 29, change "ten" to "fifty"

3 AMENDMENT NO. 16

4 On page 7, line 2, after "It is renewed" delete ", amended,"

5 AMENDMENT NO. 17

6 On page 7, after line 18 insert the following:

7 **"(3) Notwithstanding the provisions of Paragraph (1) of this Subsection,**  
8 **the provisions of this Section shall not apply to a company in a multiple party**  
9 **contract that will receive less than one hundred thousand dollars over the term**  
10 **of the contract.**

11 **D. If a written verification as provided for in Subsection C of this Section**  
12 **is unintentionally omitted from a public entity's contract with a company, it**  
13 **shall not result in such contract being void or unenforceable. Reasonable**  
14 **opportunity shall be provided to cure the omission after the public entity and**  
15 **each party to the contract receives written notice of such omission. If the**  
16 **omission is not cured, the contract shall be void and unenforceable.**

17 **E. If a public entity learns or is informed by the attorney general or a**  
18 **district attorney that a company has made the written verification required in**  
19 **Subsection C of this Section but engaged in discrimination against a firearm**  
20 **entity or firearm trade association at the time the verification was made or**  
21 **during the duration of the contract, the public entity shall immediately take**  
22 **steps necessary to terminate the contract in a commercially reasonable manner.**

23 **F. If the attorney general or a district attorney determines that a**  
24 **company has made the written verification required in Subsection C of this**  
25 **Section but engaged in discrimination against a firearm entity or firearm trade**  
26 **association at the time the verification was made or during the duration of the**  
27 **contract, the attorney general or district attorney may file a cause of action**  
28 **against the company for breach of contract, fraudulent misrepresentation, or**  
29 **any other legal grounds determined appropriate by the attorney general or**  
30 **district attorney. If the attorney general or district attorney prevails in such**  
31 **action, the court shall award reasonable attorneys' fees and costs to the state or**  
32 **district attorney. Any actual damages and punitive damages determined**  
33 **appropriate by the court shall be awarded to the public entity."**