

FIRST REGULAR SESSION

HOUSE BILL NO. 907

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROSS.

1428H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to government entities competing in the marketplace.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be
2 known as section 407.311, to read as follows:

- 407.311. 1. No agency or instrumentality of the state shall offer any good or service
2 for rent or purchase to the public in a county if a private business offers such good or
3 service in the county. This section shall not apply if:**
- 4 **(1) A statute specifically authorizes the offering of the good or service;**
 - 5 **(2) Voters of the surrounding political subdivision have specifically authorized the
6 offering of the good or service;**
 - 7 **(3) The good or service was offered on or before August 28, 2017, and has been
8 continuously offered since;**
 - 9 **(4) The good is a food or beverage;**
 - 10 **(5) The good is merchandise or the service is the rental of equipment or space
11 reasonably related to the state agency or instrumentality of the state;**
 - 12 **(6) The good or service is offered at a school or library and is reasonably related
13 to the purpose of the school or library;**
 - 14 **(7) The service is internet access or excess dark fiber by a municipality; or**
 - 15 **(8) The good or service is reasonably related to an essential government function
16 including, but not limited to, the providing of infrastructure and utilities.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **2. No good or service offered by any agency or instrumentality of the state shall be**
18 **funded by revenue other than the revenue resulting from the offering of goods or services.**

19 **3. No agency or instrumentality of the state shall possess a permit or other**
20 **authorization issued by a federal or state entity that allows the holder to offer a good or**
21 **service unless such good or service is allowed under subsection 1 of this section.**

22 **4. Any good or service offered by an agency or instrumentality of the state shall be**
23 **done in a nondiscriminatory manner.**

24 **5. The provisions of this section shall be construed liberally and in favor of private**
25 **businesses competing with government entities.**

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