



AN ACT PROHIBITING FINANCIAL INSTITUTIONS FROM MANDATING THE USE OF FIREARMS CODES THAT ARE DIFFERENT FROM GENERAL SALES; PROVIDING DEFINITIONS; AND MAKING A VIOLATION OF THE PROHIBITION AN UNFAIR TRADE PRACTICE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Firearms code. (1) (a) A financial institution may not require a firearms retailer in this state to use a firearms code that is different from that of a general transaction.

(b) It is the intent of this section to prohibit a financial institution from mandating firearms retailers to adopt a firearms code that is separate from a general merchandise retailer or sporting goods retailer.

(2) A violation of this section constitutes an unfair trade practice subject to the provisions of Title 30, chapter 14, and with exclusive enforcement authority by the department of justice.

(3) For the purposes of this section, the following definitions apply:

(a) "Financial institution" means a:

- (i) bank or trust company;
- (ii) mutual savings and loan association;
- (iii) credit union;
- (iv) payment card network;
- (v) online payment provider;
- (vi) cryptocurrency company;
- (vii) internet-based payment application;
- (viii) acquirer;
- (ix) payment facilitator; or
- (x) similar company or institution providing financial transaction services.

(b) "Firearms code" means the merchant category code approved by the international organization for standardization for the purposes of initiating a card-based transaction for firearms retailers.

(c) "Firearms retailer" means any person or entity engaged in the lawful business of selling or trading any of the following items that are physically located in this state:

- (i) firearms;
- (ii) firearms parts or components;
- (iii) firearms accessories;
- (iv) ammunition;
- (v) ammunition components, including but not limited to powder or casings; or
- (vi) other products offered and sold at firearms stores.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 30, chapter 14, and the provisions of Title 30, chapter 14, apply to [section 1].

- END -

I hereby certify that the within bill,
SB 359, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2023.

Speaker of the House

Signed this _____ day
of _____, 2023.

SENATE BILL NO. 359

INTRODUCED BY T. VERMEIRE

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