

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 1206, Page 3, Section 253.080, Line 60, by  
2 inserting after all of said section and line the following:  
3

4 "Section 1. 1. The department of natural resources shall not offer at any state park or historic site  
5 any good or service for rent or purchase to the public if a private business offers a substantially comparable  
6 good or service in the same county or same city not within a county unless:

7 (1) A statute specifically authorizes the offering of the good or service;

8 (2) The good is a food or beverage;

9 (3) The good is merchandise or the service is the rental of space reasonably related to the park or  
10 historic site;

11 (4) The service is internet access or excess dark fiber; or

12 (5) The good or service is reasonably related to an essential function of the park or historic site  
13 including, but not limited to, the providing of infrastructure and monopoly utility services.

14 2. No state funds shall support the offering of any good or service for rent or purchase to the public  
15 unless such offering is allowed under subsection 1 of this section. No revenue collected by the state from the  
16 sale or rental of goods or services allowed under subsection 1 of this section shall be:

17 (1) Used to fund the offering of any other good or service offered by the state or any political  
18 subdivision thereof; or

19 (2) Transferred into any other account, including the general revenue of the state or political  
20 subdivision, unless such transfer is to dispose of assets upon the termination of the offering of the good or  
21 service.

22 3. The department shall be prohibited from possessing a permit or other authorization issued by a  
23 federal or state entity that allows the department to offer a good or service at a park or historic site unless  
24 such authorization is exclusively limited to a governmental entity or no private business applied for such  
25 permit or authorization.

26 4. This section shall be read and construed in a way that favors a private business that is competing  
27 with a government good or service and with the purpose of limiting government competition.

28 5. If a private business believes the department is acting in violation of this section, the private  
29 business may file a complaint with the attorney general, who shall have authority to investigate the  
30 allegations and take any actions within the attorney general's authority. A private business may also file a  
31 lawsuit in a court of competent jurisdiction to enjoin the department from violating this section.

32 6. The department shall not enter into any agreement, contract, or other arrangement with a company  
33 or organization to offer any good or service that the department is prohibited under this section from offering  
34 itself."; and

35  
36 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_