

1 **SENATE FLOOR VERSION**

2 February 22, 2021

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 631

By: Hamilton, Bullard,
Bergstrom, Rogers, Stephens
and Dahm of the Senate

6 and

7 Roberts (Sean) and Hardin
8 (David) of the House

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11 An Act relating to state preemption of federal
12 infringement of Second Amendment rights; creating the
13 Second Amendment Sanctuary State Act; preempting
14 field of legislation; considering certain action as
15 infringing on the right to keep and bear arms;
16 directing courts and law enforcement agencies to
17 protect certain rights of law-abiding citizens;
18 prohibiting certain entities from accepting certain
19 grants or funding; clarifying provisions; providing
20 definition; providing for codification; and declaring
21 an emergency.

22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 1289.24d of Title 21, unless
there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Second
Amendment Sanctuary State Act".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1289.24e of Title 21, unless
3 there is created a duplication in numbering, reads as follows:

4 A. The State Legislature hereby occupies and preempts the
5 entire field of legislation by the federal government, any agency of
6 this state or any political subdivision in this state to infringe
7 upon the rights of a citizen of the State of Oklahoma, the
8 unalienable right to keep and bear arms as guaranteed to them by the
9 Second Amendment of the United States Constitution.

10 B. Any federal, state, county or municipal act, law, executive
11 order, administrative order, court order, rule, policy or regulation
12 ordering the buy-back, confiscation or surrender of firearms,
13 firearm accessories or ammunition from law-abiding citizens of this
14 state shall be considered an infringement on the rights of citizens
15 to keep and bear arms as guaranteed by the Second Amendment of the
16 Constitution of the United States and Article II, Section 26 of the
17 Constitution of Oklahoma.

18 C. It shall be the duty of the courts and law enforcement
19 agencies of this state to protect the rights of law-abiding citizens
20 to keep and to bear arms within the borders of this state and to
21 protect these rights from the infringement provided under the
22 provisions of this act.

23 D. The preemption provided in this act shall include:
24

1 1. Any regulation of arms and ammunition, pursuant to the
2 National Firearms Act of 1934, prohibited or regulated on or after
3 the effective date of this act; and

4 2. Any regulations or provision of the Gun Control Act of 1968,
5 prohibited or regulated on or after the effective date of this act.

6 E. For purposes of this section:

7 1. "Arms" is defined as any firearm, firearm part, accessory,
8 or ammunition required to render that firearm operable and
9 effective;

10 2. "Infringement" shall mean any law that reduces, represses,
11 diminishes or subverts the right to keep and bear arms, ammunition,
12 parts, and accessories in any amount that is legal as of the
13 effective date of this act of any citizen in this state; and

14 3. "Law-abiding citizen" means a person who is not otherwise
15 precluded under state law from possessing a firearm and shall not be
16 construed to include anyone who is not legally present in the United
17 States or this state.

18 F. This act is made pursuant to the provisions of the
19 Constitution of the United States and is therefore valid and of full
20 effect under the supremacy clause.

21 SECTION 3. It being immediately necessary for the preservation
22 of the public peace, health or safety, an emergency is hereby
23 declared to exist, by reason whereof this act shall take effect and
24 be in full force from and after its passage and approval.

1 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
February 22, 2021 - DO PASS AS AMENDED

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