

An Act

ENROLLED SENATE
BILL NO. 631

By: Hamilton, Bullard,
Bergstrom, Rogers,
Stephens, Dahm, Newhouse,
Burns, Murdock, Pemberton,
Pederson, Jett, Garvin,
Standridge, Montgomery and
Taylor of the Senate

and

Roberts (Sean), Hardin
(David), Grego, Smith, West
(Kevin), Bashore, Davis,
McDugle, Townley, Olsen,
Randleman, Kendrix,
Steagall, Boles, Mize, Gann
Crosswhite Hader, Williams,
Stearman, Humphrey, Lowe
(Dick), Stark, Lawson,
Patzkowsky, Russ and Manger
of the House

An Act relating to infringement of Second Amendment rights; creating the Second Amendment Sanctuary State Act; preempting field of legislation; considering certain action as infringing on the right to keep and bear arms; directing courts and law enforcement agencies to protect certain rights of law-abiding citizens; clarifying provisions; providing definition; providing for codification; and declaring an emergency.

SUBJECT: Creating the Second Amendment Sanctuary State Act, thereby considering certain action as infringing on the right to keep and bear arms

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

SECTION 1. NEW LAW A new section of law to be codified 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".

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

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

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

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

D. The preemption provided in this act shall include:

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

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

E. For purposes of this section:

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

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

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

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

Passed the Senate the 9th day of March, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 20th day of April, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____