1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	1st Session of the 58th Legislature (2021)
4	ENGROSSED SENATE
5	BILL NO. 732  By: Dahm, Hamilton, Rogers,  Bergstrom and Jett of the  Senate
6	and
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8	Olsen and McDugle of the House
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11	An Act relating to firearms regulation; amending 21 O.S. 2011, Section 1289.24, as last amended by
12	Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1289.24), which relates to state
13	preemption of firearm regulation; modifying inclusions; and providing an effective date.
14	inclusions, and providing an effective date.
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16	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
17	SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.24, as
18	last amended by Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp.
19	2020, Section 1289.24), is amended to read as follows:
20	Section 1289.24.
21	FIREARM REGULATION - STATE PREEMPTION
22	A. 1. The State Legislature hereby occupies and preempts the
23	entire field of legislation in this state touching in any way
24	firearms, knives, <u>firearm and ammunition</u> components, ammunition, and

- supplies to the complete exclusion of any order, ordinance, or regulation by any municipality or other political subdivision of this state. Any existing or future orders, ordinances, or regulations in this field, except as provided for in paragraph 2 of this subsection and subsection C of this section, are null and void.
  - 2. A municipality may adopt any ordinance:

- a. relating to the discharge of firearms within the jurisdiction of the municipality, and
- b. allowing the municipality to issue a traffic citation for transporting a firearm improperly as provided for in Section 1289.13A of this title, provided, however, that penalties contained for violation of any ordinance enacted pursuant to the provisions of this subparagraph shall not exceed the penalties established in the Oklahoma Self-Defense Act.
- 3. As provided in the preemption provisions of this section, the otherwise lawful carrying or possession of a firearm under the provisions of Chapter 53 of this title shall not be punishable by any municipality or other political subdivision of this state as disorderly conduct, disturbing the peace or similar offense against public order.
- 4. A public or private school may create a policy regulating the possession of knives on school property or in any school bus or vehicle used by the school for purposes of transportation.

- B. No municipality or other political subdivision of this state shall adopt any order, ordinance, or regulation concerning in any way the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession, carrying, bearing, transportation, licensing, permit, registration, taxation other than sales and compensating use taxes, or other controls on firearms, knives, <u>firearm and ammunition</u> components, ammunition— and supplies.
- C. Except as hereinafter provided, this section shall not prohibit any order, ordinance, or regulation by any municipality concerning the confiscation of property used in violation of the ordinances of the municipality as provided for in Section 28-121 of Title 11 of the Oklahoma Statutes. Provided, however, no municipal ordinance relating to transporting a firearm or knife improperly may include a provision for confiscation of property.
- D. When a person's rights pursuant to the protection of the preemption provisions of this section have been violated, the person shall have the right to bring a civil action against the persons, municipality, and political subdivision jointly and severally for injunctive relief or monetary damages or both.
- 20 SECTION 2. This act shall become effective November 1, 2021.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 04/06/2021 - DO PASS.