

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1098

By: Bergstrom

4
5
6 AS INTRODUCED

7 An Act relating to firearms; disallowing regulation
8 for certain firearm suppressor; providing for
9 qualifications; requiring certain descriptor;
10 prohibiting enforcement by certain entities and
employees; restricting state grant funds; providing
11 definitions; providing for codification; and
12 providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1289.31 of Title 21, unless
16 there is created a duplication in numbering, reads as follows:

17 A. A firearm suppressor that is manufactured in this state and
18 remains in this state shall not be subject to federal law or federal
19 regulation including registration, under the authority of the United
20 States Congress to regulate interstate commerce.

21 1. A basic material from which a firearm suppressor is
22 manufactured in this state including unmachined steel, is not a
23 firearm suppressor and is not subject to federal regulation under
24

1 the authority of the United States Congress to regulate interstate
2 commerce as if it were a firearm suppressor.

3 2. A firearm suppressor manufactured and sold in this state
4 must have the words "Made in Oklahoma" clearly stamped or engraved
5 on it.

6 B. For purposes of this section, a firearm suppressor is
7 manufactured in this state if the item is manufactured:

- 8 1. In this state from basic materials; and
- 9 2. Without the inclusion of any part imported from another
10 state other than a generic and insignificant part.

11 C. For purposes of this section, a firearm suppressor is
12 manufactured in this state if it is manufactured without regard to
13 whether a firearm imported into this state from another state is
14 attached to or used in conjunction with the suppressor.

15 D. No municipality or other political subdivision of the state
16 shall adopt a rule, order, ordinance, or policy under which the
17 entity enforces, or by consistent action allows the enforcement of a
18 federal statute, order, rule, policy, or regulation that purports to
19 regulate a firearm suppressor if the statute, order, rule, policy,
20 or regulation imposes a prohibition, restriction, or other
21 regulation that does not exist under the laws of this state.

22 E. No person employed by or otherwise under the direction or
23 control of a municipality or other political subdivision of the
24 state shall enforce or attempt to enforce any federal statute,

1 ordinance, rule, or regulation described by subsection B of this
2 section.

3 F. No municipality or political subdivision of the state shall
4 receive state grant funds if the entity adopts a rule, order,
5 ordinance, or policy under which the entity enforces a federal law
6 described by subsection A of this section.

7 G. As used in this section:

8 1. "Firearm" shall have the same definition as provided in
9 Sections 1289.3, 1289.4, and 1289.5 of Title 21 of the Oklahoma
10 Statutes;

11 2. "Firearm suppressor" means any device designed, made or
12 adapted to muffle the report of a firearm;

13 3. "Generic and insignificant part" means an item that has
14 manufacturing or consumer product applications other than inclusion
15 in a firearm suppressor. The term includes a spring, screw, nut,
16 and pin; and

17 4. "Manufacture" includes forging, castling, machining, or
18 another process for working a material.

19 SECTION 2. This act shall become effective November 1, 2022.

21 58-2-2264 BG 9/27/2021 2:45:52 PM