

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1002

By: Olsen

4  
5 AS INTRODUCED

6 An Act relating to firearms; amending 21 O.S. 2021,  
7 Section 1289.24e, which relates to the Second  
8 Amendment Sanctuary State Act; allowing certain  
9 detention or arrest; and providing an effective date.

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

11 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1289.24e, is  
12 amended to read as follows:

13 Section 1289.24e

14 SECOND AMENDMENT SANCTUARY STATE ACT

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

21 B. Any federal, state, county or municipal act, law, executive  
22 order, administrative order, court order, rule, policy or regulation  
23 ordering the buy-back, confiscation or surrender of firearms,  
24 firearm accessories or ammunition from law-abiding citizens of this

1 state shall be considered an infringement on the rights of citizens  
2 to keep and bear arms as guaranteed by the Second Amendment of the  
3 United States Constitution of the United States and Section 26 of  
4 Article II, Section 26 of the Constitution of Oklahoma Constitution.

5 C. It shall be the duty of the courts and law enforcement  
6 agencies of this state to protect the rights of law-abiding citizens  
7 to keep and to bear arms within the borders of this state and to  
8 protect these rights from the infringement provided under the  
9 provisions of ~~this act~~ the Second Amendment Sanctuary State Act.

10 Pursuant to the provisions of this section, a county sheriff shall  
11 have the authority to detain or arrest any federal employee  
12 operating within the county of the jurisdiction of the sheriff while  
13 enforcing any federal act, law, executive order, administrative  
14 order, court order, rule, policy, or regulation in violation of  
15 subsection B of this section.

16 D. The preemption provided in ~~this act~~ the Second Amendment  
17 Sanctuary State Act shall include:

18 1. Any regulation of arms and ammunition, pursuant to the  
19 National Firearms Act of 1934, prohibited or regulated on or after  
20 ~~the effective date of this act~~ April 26, 2021; and

21 2. Any ~~regulations~~ regulation or provision of the Gun Control  
22 Act of 1968, prohibited or regulated on or after ~~the effective date~~  
23 ~~of this act~~ April 26, 2021.

24 E. For purposes of this section:

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

4        2. "Infringement" shall mean any law that reduces, represses,  
5 diminishes or subverts the right to keep and bear arms, ammunition,  
6 parts and accessories in any amount that is legal as of ~~the~~  
7 ~~effective date of this act~~ April 26, 2021, of any citizen in this  
8 state; and

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

13        SECTION 2. This act shall become effective November 1, 2023.

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15        59-1-5009            GRS            07/27/22

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