



1 providing for codification; and declaring an  
2 emergency.

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

5 SECTION 1. NEW LAW A new section of law not to be  
6 codified in the Oklahoma Statutes reads as follows:

7 This act shall be known and may be cited as the "Sportsman  
8 Hearing Protection Act".

9 SECTION 2. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 1289.31 of Title 21, unless  
11 there is created a duplication in numbering, reads as follows:

12 A. As used in this act:

13 1. "Firearm" means a rifle, pistol, or shotgun;

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

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

20 4. "Manufacture" includes forging, casting, machining, or any  
21 other process for working a material.

22 B. For the purposes of this act, a firearm suppressor is  
23 manufactured in this state if the item is manufactured:

24 1. In this state from basic materials; and

1           2. Without the inclusion of any part imported from another  
2 state other than a generic and insignificant part.

3           C. For the purposes of this act, a firearm suppressor is  
4 manufactured in this state if it is manufactured as described by  
5 subsection B of this section without regard to whether a firearm  
6 imported into this state from another state is attached to or used  
7 in conjunction with the suppressor.

8           D. A firearm suppressor that is manufactured in this state and  
9 remains in this state is not subject to federal law or federal  
10 regulation, including registration, under the authority of the  
11 United States Congress to regulate interstate commerce.

12           E. A basic material from which a firearm suppressor is  
13 manufactured in this state, including unmachined steel, is not a  
14 firearm suppressor and is not subject to federal regulation under  
15 the authority of the United States Congress to regulate interstate  
16 commerce as if it actually were a firearm suppressor.

17           F. A firearm suppressor manufactured and sold in this state  
18 must have the words "Made in Oklahoma" clearly stamped, machined or  
19 engraved on the firearm suppressor.

20           G. On written notification to the Office of the Attorney  
21 General of this state by a United States citizen who resides in this  
22 state of the intent of the citizen to manufacture a firearm  
23 suppressor to which subsection D of this section applies, the  
24 Attorney General shall seek a declaratory judgment from a federal

1 district court in this state that subsection D of this section is  
2 consistent with the United States Constitution.

3 H. The provisions of this section shall apply to:

4 1. The State of Oklahoma, including an agency, department,  
5 commission, bureau, board, office, council, court, or other entity  
6 that is in any branch of state government and that is created by the  
7 Oklahoma Constitution or a statute of this state, including a  
8 university system or a system of higher education;

9 2. The governing body of a municipality, county, district, or  
10 authority; and

11 3. An officer, employee, or other body that is part of a  
12 municipality, county, special district or authority, including a  
13 sheriff, municipal police department, municipal attorney or district  
14 attorney.

15 I. An entity described by subsection H of this section may not  
16 adopt a rule, order, ordinance, or policy under which the entity  
17 enforces or, by consistent action, allows the enforcement of, a  
18 federal statute, order, rule, or regulation that purports to  
19 regulate a firearm suppressor if the statute, order, rule, or  
20 regulation imposes a prohibition, restriction, or other regulation  
21 that does not exist under the laws of this state.

22 J. No entity described by subsection H of this section and no  
23 person employed by or otherwise under the direction or control of  
24 the entity may enforce or attempt to enforce any federal statute,

1 order, rule, or regulation described by subsection I of this  
2 section.

3 K. An entity described by subsection H of this section may not  
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 I of this section or, by consistent action,  
7 allows the enforcement of a federal law described by subsection I of  
8 this section.

9 L. State grant funds for the entity shall be denied for the  
10 fiscal year following the year in which a final judicial  
11 determination in an action brought under the provisions of this act  
12 is made that the entity has violated subsection I of this section.

13 M. Any citizen residing in the jurisdiction of an entity  
14 described by subsection H of this section may file a complaint with  
15 the Office of the Attorney General if the citizen offers evidence to  
16 support an allegation that the entity has adopted a rule, order,  
17 ordinance, or policy under which the entity enforces a federal law  
18 described by subsection I of this section or that the entity, by  
19 consistent action, allows the enforcement of a federal law described  
20 by subsection I of this section. The citizen shall include with the  
21 complaint any evidence the citizen has in support of the complaint.

22 N. If the Attorney General determines that a complaint filed  
23 under subsection M of this section against an entity described by  
24 subsection H of this section is valid, the Attorney General may file

1 a petition for a writ of mandamus or apply for other appropriate  
2 equitable relief in the District Court of Oklahoma County or in a  
3 county in which the principal office of the entity is located. The  
4 Attorney General may recover reasonable expenses incurred obtaining  
5 relief under this subsection, including court costs, reasonable  
6 attorney fees, investigative costs, witness fees, and deposition  
7 costs.

8 O. An appeal of a suit brought under subsection N of this  
9 section shall be governed by the procedures for appeals in civil  
10 cases under the Oklahoma Rules of Appellate Procedure. The  
11 appellate court shall render its final order or judgment with the  
12 least possible delay.

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

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18 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/15/2023 -  
19 DO PASS, As Amended and Coauthored.  
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