

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 826

By: Dahm

AS INTRODUCED

An Act relating to firearms; considering certain actions as infringing on the right to keep and bear arms; directing the state, political subdivisions, law enforcement officers, courts, and law enforcement agencies to protect certain rights of law-abiding citizens; prohibiting law enforcement officers from obeying or enforcing certain orders; prohibiting the termination, retaliation against, or punishment of a law enforcement officer, employee, or citizen for refusing to obey or enforce certain orders; prohibiting the state, counties, and municipalities from making cuts to funds or budgets of county sheriffs' offices, municipal police departments, or other law enforcement agencies under certain circumstances; defining term; providing for codification; and providing an effective date.

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 2201 of Title 25, unless there is created a duplication in numbering, reads as follows:

Any federal, state, county, or municipal act, law, executive order, administrative order, court order, policy, rule, 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

1 rights of citizens to keep and bear arms as guaranteed by the Second
2 Amendment of the Constitution of the United States and Article II,
3 Section 26 of the Constitution of Oklahoma.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 2202 of Title 25, unless there
6 is created a duplication in numbering, reads as follows:

7 It shall be the duty of the state, political subdivisions, every
8 law enforcement officer of the state, courts, and law enforcement
9 agencies of this state to protect the rights of law-abiding citizens
10 to keep and bear arms within the borders of this state and to
11 protect these rights from the infringement provided under the
12 provisions of Section 1 of this act.

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 2203 of Title 25, unless there
15 is created a duplication in numbering, reads as follows:

16 A. No law enforcement officer shall obey or enforce any direct
17 or indirect order which violates the Second Amendment of the
18 Constitution of the United States, Article II, Section 26 of the
19 Constitution of Oklahoma, or the law enforcement oath of the law
20 enforcement officer.

21 B. Every agency or department of the state, county, or
22 municipality, or political subdivision shall be prohibited from
23 terminating the employment of, retaliating against, or punishing any
24 law enforcement officer, employee, or citizen who refuses to obey or

1 enforce any order which violates the Second Amendment of the
2 Constitution of the United States, Article II, Section 26 of the
3 Constitution of Oklahoma, or the law enforcement oath of the law
4 enforcement officer.

5 C. The state and any county or municipal government shall not
6 cut any funding or budget from a county sheriff's office or
7 municipal police department, or other law enforcement agency for:

8 1. Refusing to obey or enforce any order which violates the
9 Second Amendment of the Constitution of the United States, Article
10 II, Section 26 of the Constitution of Oklahoma, or the law
11 enforcement oath of a law enforcement officer; or

12 2. Making any county or municipality a Second Amendment
13 sanctuary county or municipality.

14 SECTION 4. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 2204 of Title 25, unless there
16 is created a duplication in numbering, reads as follows:

17 For the purposes of Sections 1 and 2 of this act, the term "law-
18 abiding citizen" shall mean a person who is not otherwise precluded
19 under state law from possessing a firearm and shall not be construed
20 to include anyone who is not legally present in the United States or
21 this state.

22 SECTION 5. This act shall become effective November 1, 2023.

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