

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 926

By: Dahm

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5
6 AS INTRODUCED

7 An Act relating to firearm regulation; amending 21
8 O.S. 2011, Section 1289.24, as last amended by
9 Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp.
10 2020, Section 1289.24), which relates to state
preemption; modifying inclusions; allowing certain
action; and providing an effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.24, as
14 last amended by Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp.
15 2020, Section 1289.24), is amended to read as follows:

16 Section 1289.24.

17 FIREARM REGULATION - STATE PREEMPTION

18 A. 1. The State Legislature hereby occupies and preempts the
19 entire field of legislation in this state touching in any way
20 firearms, air powered pistol, knives, components, ammunition, and
21 supplies to the complete exclusion of any order, ordinance, or
22 regulation by any municipality or other political subdivision of
23 this state. Any existing or future orders, ordinances, or
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1 regulations in this field, except as provided for in paragraph 2 of
2 this subsection and subsection C of this section, are null and void.

3 2. A municipality may adopt any ordinance:

4 a. relating to the discharge of firearms within the
5 jurisdiction of the municipality, ~~and~~

6 b. allowing the municipality to issue a traffic citation
7 for transporting a firearm improperly as provided for
8 in Section 1289.13A of this title, provided, however,
9 that penalties contained for violation of any
10 ordinance enacted pursuant to the provisions of this
11 subparagraph shall not exceed the penalties
12 established in the Oklahoma Self-Defense Act, and

13 c. allowing the municipality to issue a citation for
14 discharging an air powered pistol when the projectile
15 leaves the premises that it was discharged from by an
16 authorized premises owner, renter or tenant.

17 3. As provided in the preemption provisions of this section,
18 the otherwise lawful carrying or possession of a firearm under the
19 provisions of Chapter 53 of this title shall not be punishable by
20 any municipality or other political subdivision of this state as
21 disorderly conduct, disturbing the peace or similar offense against
22 public order.

1 4. A public or private school may create a policy regulating
2 the possession of knives on school property or in any school bus or
3 vehicle used by the school for purposes of transportation.

4 B. No municipality or other political subdivision of this state
5 shall adopt any order, ordinance, or regulation concerning in any
6 way the sale, purchase, purchase delay, transfer, ownership, use,
7 keeping, possession, carrying, bearing, transportation, licensing,
8 permit, registration, taxation other than sales and compensating use
9 taxes, or other controls on firearms, knives, components,
10 ammunition, and supplies.

11 C. Except as hereinafter provided, this section shall not
12 prohibit any order, ordinance, or regulation by any municipality
13 concerning the confiscation of property used in violation of the
14 ordinances of the municipality as provided for in Section 28-121 of
15 Title 11 of the Oklahoma Statutes. Provided, however, no municipal
16 ordinance relating to transporting a firearm or knife improperly may
17 include a provision for confiscation of property.

18 D. When a person's rights pursuant to the protection of the
19 preemption provisions of this section have been violated, the person
20 shall have the right to bring a civil action against the persons,
21 municipality, and political subdivision jointly and severally for
22 injunctive relief or monetary damages or both.

1 SECTION 2. This act shall become effective November 1, 2021.

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