

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4138

By: May

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5
6 AS INTRODUCED

7 An Act relating to firearms; prohibiting federal
8 regulation of certain firearm suppressors; describing
9 firearm suppressors that shall not be subject to
10 federal regulation; requiring certain stamp or
11 engraving on firearm suppressors; providing
12 manufacturing requirements; prohibiting enforcement
13 by certain entities and employees; restricting state
14 grant funds; providing definitions; providing for
15 codification; and providing an effective date.

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

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

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

24 1. Basic materials from which a firearm suppressor is
manufactured in this state, including unmachined steel, are not a
firearm suppressor and are not subject to federal regulation under

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

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

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;

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

11 3. Without regard to whether a firearm imported into this state
12 from another state is attached to or used in conjunction with the
13 suppressor; and

14 4. By a person who is a citizen of the United States with
15 established residency in the State of Oklahoma.

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

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1 D. No person employed by or otherwise under the direction or
2 control of a municipality or other political subdivision of this
3 state shall enforce or attempt to enforce any federal statute,
4 ordinance, rule, or regulation described by subsection C of this
5 section.

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

10 F. As used in this section:

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

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" means forging, castling, machining, or using
21 another process for working a material.

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

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24 58-2-9563 GRS 01/13/22