



1 on property pursuant to the provisions of Section 1290.22 of this  
2 title.

3 B. A person, regardless of official capacity or lack of  
4 official capacity, within a place of worship or a person, an owner,  
5 manager or employee of a business is presumed to have held a  
6 reasonable fear of imminent peril of death or great bodily harm to  
7 himself or herself or another when using defensive force that is  
8 intended or likely to cause death or great bodily harm to another  
9 if:

10 1. a. The person against whom the defensive force was used  
11 was in the process of unlawfully and forcefully  
12 entering, or had unlawfully and forcibly entered, a  
13 dwelling, residence, occupied vehicle, place of  
14 business or place of worship, or if that person had  
15 removed or was attempting to remove another against  
16 the will of that person from the dwelling, residence,  
17 occupied vehicle, place of business or place of  
18 worship.

19 b. The person who uses defensive force knew or had reason  
20 to believe that an unlawful and forcible entry or  
21 unlawful and forcible act was occurring or had  
22 occurred; or

23 2. The person who uses defensive force knew or had a reasonable  
24 belief that the person against whom the defensive force was used

1 entered or was attempting to enter into a dwelling, residence,  
2 occupied vehicle, place of business or place of worship for the  
3 purpose of committing a forcible felony, as defined in Section 733  
4 of this title, and that the defensive force was necessary to prevent  
5 the commission of the forcible felony.

6 C. The presumption set forth in subsection B of this section  
7 does not apply if:

8 1. The person against whom the defensive force is used has the  
9 right to be in or is a lawful resident of the dwelling, residence,  
10 or vehicle, such as an owner, lessee, or titleholder, and there is  
11 not a protective order from domestic violence in effect or a written  
12 pretrial supervision order of no contact against that person;

13 2. The person or persons sought to be removed are children or  
14 grandchildren, or are otherwise in the lawful custody or under the  
15 lawful guardianship of, the person against whom the defensive force  
16 is used; or

17 3. The person who uses defensive force is engaged in an  
18 unlawful activity or is using the dwelling, residence, occupied  
19 vehicle, place of business or place of worship to further an  
20 unlawful activity.

21 D. A person who is not engaged in an unlawful activity and who  
22 is attacked in any other place where he or she has a right to be has  
23 no duty to retreat and has the right to stand his or her ground and  
24 meet force with force, including deadly force, if he or she

1 reasonably believes it is necessary to do so to prevent death or  
2 great bodily harm to himself or herself or another or to prevent the  
3 commission of a forcible felony.

4 E. A person who unlawfully and by force enters or attempts to  
5 enter the dwelling, residence, occupied vehicle of another person,  
6 place of business or place of worship is presumed to be doing so  
7 with the intent to commit an unlawful act involving force or  
8 violence.

9 F. A person, who lawfully is in an occupied vehicle that is  
10 approached and surrounded by a person or persons engaged in unlawful  
11 activity who has blocked the road, shall not be subject to criminal  
12 or civil prosecution for a reasonable effort to escape from the  
13 unlawful activity with or without damage to the vehicle.

14 G. A person who uses defensive force, as permitted pursuant to  
15 the provisions of subsections A, B, D ~~and~~, E and F of this section,  
16 is justified in using such defensive force and is immune from  
17 criminal prosecution and civil action for the use of such defensive  
18 force. As used in this subsection, the term "criminal prosecution"  
19 includes charging or prosecuting the defendant.

20 ~~G.~~ H. A law enforcement agency may use standard procedures for  
21 investigating the use of defensive force, but the law enforcement  
22 agency may not arrest the person for using defensive force unless it  
23 determines that there is probable cause that the defensive force  
24 that was used was unlawful.

1       ~~H.~~ I. The court shall award reasonable attorney fees, court  
2 costs, compensation for loss of income, and all expenses incurred by  
3 the defendant in defense of any civil action brought by a plaintiff  
4 if the court finds that the defendant is immune from prosecution as  
5 provided in subsection ~~F~~ G of this section.

6       ~~I.~~ J. The provisions of this section and the provisions of the  
7 Oklahoma Self-Defense Act shall not be construed to require any  
8 person using a weapon pursuant to the provisions of this section to  
9 be licensed in any manner.

10       ~~J.~~ K. A person pointing a weapon at a perpetrator in self-  
11 defense or in order to thwart, stop or deter a forcible felony or  
12 attempted forcible felony shall not be deemed guilty of committing a  
13 criminal act.

14       ~~K.~~ L. As used in this section:

15       1. "Defensive force" includes, but shall not be limited to,  
16 pointing a weapon at a perpetrator in self-defense or in order to  
17 thwart, stop or deter a forcible felony or attempted forcible  
18 felony;

19       2. "Dwelling" means a building or conveyance of any kind,  
20 including any attached porch, whether the building or conveyance is  
21 temporary or permanent, mobile or immobile, which has a roof over  
22 it, including a tent, and is designed to be occupied by people;

23       3. "Place of worship" means:  
24

1 a. any permanent building, structure, facility or office  
2 space owned, leased, rented or borrowed, on a full-  
3 time basis, when used for worship services, activities  
4 and business of the congregation, which may include,  
5 but not be limited to, churches, temples, synagogues  
6 and mosques, and

7 b. any permanent building, structure, facility or office  
8 space owned, leased, rented or borrowed for use on a  
9 temporary basis, when used for worship services,  
10 activities and business of the congregation including,  
11 but not limited to, churches, temples, synagogues and  
12 mosques;

13 4. "Residence" means a dwelling in which a person resides  
14 either temporarily or permanently or is visiting as an invited  
15 guest; and

16 5. "Vehicle" means a conveyance of any kind, whether or not  
17 motorized, which is designed to transport people or property.

18 SECTION 2. This act shall become effective November 1, 2021.  
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20 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated  
21 03/31/2021 - DO PASS.  
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