

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1335

By: Hamilton

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6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2021,
8 Section 1289.24e, which relates to the right to keep
9 and bear arms preemption; providing for certain
10 criminal offense; providing for certain penalty; and
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1289.24e, is
14 amended to read as follows:

15 Section 1289.24e. A. The State Legislature hereby occupies and
16 preempts the entire field of legislation by any agency of this state
17 or any political subdivision in this state to infringe upon the
18 rights of a citizen of ~~the State of Oklahoma~~ this state, the
19 unalienable right to keep and bear arms as guaranteed to them by the
20 Second Amendment of the United States Constitution.

21 B. Any federal, state, county or municipal act, law, executive
22 order, administrative order, court order, rule, policy or regulation
23 ordering the buy-back, confiscation or surrender of firearms,
24 firearm accessories or ammunition from law-abiding citizens of this
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1 state shall be considered an infringement on the rights of citizens
2 to keep and bear arms as guaranteed by the Second Amendment of the
3 Constitution of the United States and Article II, Section 26 of the
4 Constitution of Oklahoma.

5 C. It shall be the duty of the courts and law enforcement
6 agencies of this state to protect the rights of law-abiding citizens
7 to keep and to bear arms within the borders of this state and to
8 protect these rights from the infringement provided under the
9 provisions of this act.

10 D. The preemption provided in this act shall include:

11 1. Any regulation of arms and ammunition, pursuant to the
12 National Firearms Act of 1934, prohibited or regulated on or after
13 the effective date of this act; and

14 2. Any regulations or provision of the Gun Control Act of 1968,
15 prohibited or regulated on or after the effective date of this act.

16 E. The sheriff of each county shall be empowered and have the
17 authority to implement the provisions of this section including, but
18 not limited to, the arrest of any federal employee, contractor,
19 agent or law enforcement officer who violates the provisions of this
20 section. Any person violating the provisions of this section shall,
21 upon conviction, be guilty of a felony punishable by imprisonment in
22 the county jail for a term not more than one (1) year and one (1)
23 day, or by a fine not more than Thirty Thousand Dollars
24 (\$30,000.00), or by both fine and imprisonment.

1 F. For purposes of this section:

2 1. "Arms" is defined as any firearm, firearm part, accessory or
3 ammunition required to render that firearm operable and effective;

4 2. "Infringement" shall mean any law that reduces, represses,
5 diminishes or subverts the right to keep and bear arms, ammunition,
6 parts and accessories in any amount that is legal as of the
7 effective date of this act of any citizen in this state; and

8 3. "Law-abiding citizen" means a person who is not otherwise
9 precluded under state law from possessing a firearm and shall not be
10 construed to include anyone who is not legally present in the United
11 States or this state.

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

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