

FLOOR AMENDMENT  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2547  
Page 12 Section 2 Lines 16-17  
Of the printed Bill  
Of the Engrossed Bill

By removing "Section 2." in its entirety and inserting in lieu thereof, a new "Section 2." to read as follows:

(SEE ATTACHED)

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: \_\_\_\_\_

Amendment submitted by: Jim Olsen

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\_\_\_\_\_  
Reading Clerk

1 "SECTION 2. AMENDATORY 21 O.S. 2011, Section 1289.24, as  
2 last amended by Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
3 2019, Section 1289.24), is amended to read as follows:

4 Section 1289.24

5 FIREARM REGULATION - STATE PREEMPTION

6 A. 1. The State Legislature hereby occupies and preempts the  
7 entire field of legislation in this state touching in any way  
8 firearms, knives, firearm and ammunition components, ammunition, and  
9 supplies to the complete exclusion of any order, policy, ordinance,  
10 or regulation by any municipality, or other political subdivision of  
11 this state. Any existing or future orders, policies, ordinances, or  
12 regulations in this field, except as provided for in paragraph 2 of  
13 this subsection and subsection C of this section, are null and void.

14 2. A municipality may adopt any ordinance:

- 15 a. relating to the discharge of firearms within the  
16 jurisdiction of the municipality, and
- 17 b. allowing the municipality to issue a traffic citation  
18 for transporting a firearm improperly as provided for  
19 in Section 1289.13A of this title, and provided, however,  
20 that penalties contained for violation of any  
21 ordinance enacted pursuant to the provisions of this  
22 subparagraph shall not exceed the penalties  
23 established in the Oklahoma Self-Defense Act.

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

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

10          B. No municipality or other political subdivision of this state  
11 shall adopt any order, policy, ordinance, or regulation concerning  
12 in any way the sale, purchase, purchase delay, transfer, ownership,  
13 use, keeping, possession, carrying, bearing, transportation,  
14 licensing, permit, registration, taxation other than sales and  
15 compensating use taxes, or other controls on firearms, knives,  
16 firearm and ammunition components, ammunition, and supplies.

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

1 D. When a person's rights pursuant to the protection of the  
2 preemption provisions of this section have been violated by any  
3 order, policy, ordinance or regulation promulgated or enforced by  
4 any person, municipality, agency or other political subdivision of  
5 this state, the person shall have the right to bring a civil action  
6 against the persons, municipality, agency and political subdivision  
7 jointly and severally for injunctive relief or monetary damages or  
8 both.

9 E. A court may require the political subdivision to pay  
10 reasonable expenses to a person in an action filed pursuant to the  
11 provisions of subsection D of this section if:

12 1. The aggrieved party first provides written notice of the  
13 unlawful order, policy, ordinance or regulation by certified first-  
14 class mail or service of process and allows the political  
15 subdivision ninety (90) days to rescind, repeal or otherwise  
16 abrogate the order, policy, ordinance or regulation; and

17 2. A court grants final determination in favor of the person.

18 If the political subdivision fails to rescind, repeal or  
19 otherwise abrogate the unlawful order, policy, ordinance or  
20 regulation within ninety (90) days of required notice as provided in  
21 paragraph 1 of this subsection and the order, policy, ordinance or  
22 regulation is subsequently rescinded, repealed or otherwise  
23 abrogated after the aggrieved party files suit, the aggrieved party  
24

1 shall retain standing in the suit and may recover damages or  
2 reasonable expenses.

3 F. As used in this section, "reasonable expenses" includes, but  
4 is not limited to, attorney fees, expert witness fees and court  
5 costs."

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7 57-2-11630 GRS 03/09/20

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