

1 ENGROSSED SENATE
2 BILL NO. 926

By: Jett and Bergstrom of the
Senate

3 and

4 Roberts (Eric) and McDugle
5 of the House

6
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; defining term; and providing an effective
date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.24, as
15 last amended by Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp.
16 2020, Section 1289.24), is amended to read as follows:

17 Section 1289.24.

18 FIREARM REGULATION - STATE PREEMPTION

19 A. 1. The State Legislature hereby occupies and preempts the
20 entire field of legislation in this state touching in any way
21 firearms, air powered pistols, air powered rifles, knives,
22 components, ammunition, and supplies to the complete exclusion of
23 any order, ordinance, or regulation by any municipality or other
24 political subdivision of this state. Any existing or future orders,

1 ordinances, or regulations in this field, except as provided for in
2 paragraph 2 of this subsection and subsection C of this section, are
3 null and void.

4 2. A municipality may adopt any ordinance:

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

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

14 c. allowing the municipality to issue a citation to an
15 individual or the parent or guardian of a minor who
16 discharges an air powered pistol or air powered rifle
17 in an intentional or negligent manner which causes the
18 projectile to leave the intended premises.

19 3. As provided in the preemption provisions of this section,
20 the otherwise lawful carrying or possession of a firearm under the
21 provisions of Chapter 53 of this title shall not be punishable by
22 any municipality or other political subdivision of this state as
23 disorderly conduct, disturbing the peace or similar offense against
24 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.

23 E. As used in this section, air powered pistol or air powered
24 rifle is any pistol or rifle that uses compressed air or other

1 compressed gas to project plastic BB-like or pellet-like projectiles
2 at a speed not exceeding 400 feet per second.

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

4 Passed the Senate the 9th day of March, 2021.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the ____ day of _____,

9 2021.

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Presiding Officer of the House
of Representatives

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