

## FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1237 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

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

Amendment submitted by: Charles McCall

\_\_\_\_\_

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

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

FLOOR SUBSTITUTE  
FOR

HOUSE BILL NO. 1237

By: McCall and McBride

FLOOR SUBSTITUTE

An Act relating to the United States; providing for review of presidential executive orders and federal actions; prohibiting implementation of unconstitutional actions; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 101 of Title 80, unless there is created a duplication in numbering, reads as follows:

A. The Legislature may review any executive order issued by the President of the United States, federal agency rule or federal congressional action to determine the constitutionality of such action. Upon recommendation from the Legislature, the Attorney General shall review such action by the federal government to determine the constitutionality of the action and whether the state should seek an exemption from the application of the action or seek to have the action declared unconstitutional by a court of competent

1 jurisdiction and prevent, prohibit or enjoin enforcement of the  
2 unconstitutional order, rule or action.

3 B. Should the Attorney General decline to pursue action based  
4 upon the determination of the Legislature, the Legislature may  
5 declare the action unconstitutional by a majority vote and shall  
6 initiate an action to seek an exemption from the application of the  
7 action or seek to have the action declared unconstitutional by a  
8 court of competent jurisdiction and prevent, prohibit or enjoin  
9 enforcement of the unconstitutional order, rule or action.

10 C. Notwithstanding any other provision of law, the state,  
11 county, political subdivision or any other publicly funded  
12 organization shall not implement, adopt or enforce any order,  
13 federal agency rule or federal congressional action declared  
14 unconstitutional under subsection A or B of this section including,  
15 but not limited to:

16 1. Pandemics or other health emergencies;

17 2. The regulation of natural resources, including oil and  
18 natural gas;

19 3. The regulation of the agriculture industry;

20 4. The use of land;

21 5. The regulation of the financial sector as it relates to  
22 environmental, social or governance standards;

23 6. The regulation of the constitutional right to keep and bear  
24 arms;

1        7. The regulation of education;

2        8. The regulation of interscholastic, intramural or other  
3 extracurricular sports sponsored by an institution of higher  
4 education, a school district or a charter school; or

5        9. Any other powers reserved by the State of Oklahoma or the  
6 people of Oklahoma.

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

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9        58-1-8175        LRB        04/20/21