

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 2984

 By: Hardin (David) and **Olsen** of
 the House

5
6 and

7 **Hamilton** of the Senate

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10 AS INTRODUCED

11 An Act relating to firearms; amending 21 O.S. 2021,
12 Section 1289.24e, which relates to the Second
13 Amendment Sanctuary State Act; prohibiting the
14 enforcement of a federal ban or regulation on
15 firearms, firearm accessories, or ammunition;
16 providing construing provision; prohibiting the state
17 and political subdivisions from reducing or
18 eliminating funds or budgets of county sheriff's
19 offices or municipal police departments under certain
20 circumstances; prohibiting the termination or
21 retaliation against peace officers for refusing to
22 obey or enforce certain orders; adding definitions;
23 and declaring an emergency.

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

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

 Section 1289.24e A. The State Legislature hereby occupies and
preempts the entire field of legislation by any agency of this state

1 or any political subdivision in this state to infringe upon the
2 rights of a citizen of the State of Oklahoma, the unalienable right
3 to keep and bear arms as guaranteed to them by the Second Amendment
4 of the United States Constitution.

5 B. Any federal, state, county or municipal act, law, executive
6 order, administrative order, court order, rule, policy or regulation
7 ordering the buy-back, confiscation or surrender of firearms,
8 firearm accessories or ammunition from law-abiding citizens of this
9 state shall be considered an infringement on the rights of citizens
10 to keep and bear arms as guaranteed by the Second Amendment of the
11 Constitution of the United States and Article II, Section 26 of the
12 Constitution of Oklahoma.

13 C. 1. A peace officer, state employee, or employee of a
14 political subdivision is prohibited from enforcing, assisting in the
15 enforcement of, or otherwise cooperating in the enforcement of a
16 federal ban on firearms, firearm accessories, or ammunition and is
17 also prohibited from participating in any federal enforcement action
18 implementing a federal ban on firearms, firearm accessories, or
19 ammunition.

20 2. An employee of the state or a political subdivision may not
21 expend public funds or allocate public resources for the enforcement
22 of a federal ban on firearms, firearm accessories, or ammunition.

23 3. Nothing in this subsection may be construed to prohibit or
24 otherwise limit a peace officer, state employee, or employee of a

1 political subdivision from cooperating, communicating, or
2 collaborating with a federal, state, county, or municipal agency if
3 the primary purpose is not:

- 4 a. law enforcement activity related to a federal, state,
5 county, or municipal ban on firearms, firearm
6 accessories, or ammunition, or
- 7 b. the investigation of a violation of a federal, state,
8 county, or municipal ban on firearms, firearm
9 accessories, or ammunition.

10 4. The State of Oklahoma and any political subdivision of this
11 state shall not reduce or eliminate any funding or budget from a
12 county sheriff's office or municipal police department for:

- 13 a. refusing to obey or enforce any order which violates
14 the Second Amendment of the Constitution of the United
15 States, Section 26 of Article II of the Constitution
16 of Oklahoma or the peace officer oath of a peace
17 officer, or
- 18 b. declaring any political subdivision of this state as a
19 Second Amendment sanctuary.

20 5. The State of Oklahoma and any political subdivision of this
21 state shall be prohibited from terminating or retaliating against
22 any peace officer who refuses to obey or enforce any order which
23 violates the Second Amendment of the Constitution of the United
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1 States, Section 26 of Article II of the Constitution of Oklahoma or
2 the peace officer oath of the peace officer.

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

8 ~~D.~~ E. The preemption provided in this act shall include:

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

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

14 ~~E.~~ F. For purposes of this section:

15 1. "Arms" ~~is defined as~~ means any firearm, firearm part,
16 accessory or ammunition required to render that firearm operable and
17 effective;

18 2. "Federal ban" means a federal law, executive order, rule or
19 regulation that is enacted, adopted, or becomes effective on or
20 after November 1, 2022, or a new and more restrictive interpretation
21 of a law that existed on November 1, 2022, that infringes upon,
22 calls in question or prohibits, restricts, or requires individual
23 licensure for or registration of the purchase, ownership,
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1 possession, transfer, or use of any firearm, any magazine or other
2 ammunition feeding device, or other firearm accessory;

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

7 ~~3.~~ 4. "Law-abiding citizen" means a person who is not otherwise
8 precluded under state law from possessing a firearm and shall not be
9 construed to include anyone who is not legally present in the United
10 States or this state;

11 5. "Peace officer" has the same meaning as provided for in
12 Section 99 of this title, except that subsection C of this section
13 shall not apply to federal employees; and

14 6. "Political subdivision" means a city, town, county, or any
15 other political subdivision of this state.

16 SECTION 2. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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21 COMMITTEE REPORT BY: COMMITTEE ON STATE POWERS, dated 02/09/2022 -
22 DO PASS, As Coauthored.

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