

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1595

By: Bullard

AS INTRODUCED

An Act relating to firearms; amending 21 O.S. 2021, Section 1289.24, which relates to state preemption of firearm regulation; providing for state preemption for certain equipment; updating statutory language; creating the Firearm Accessory Protection Act; providing short title; prohibiting certain actions by certified peace officers; authorizing civil action against certain entities; providing for codification; and providing an effective date.

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

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

Section 1289.24.

FIREARM REGULATION - STATE PREEMPTION

A. 1. The ~~State~~ Legislature hereby occupies and preempts the entire field of legislation in this state touching in any way firearms, air powered pistols, air powered rifles, knives, components, accessories, attachments, ammunition, and supplies to the complete exclusion of any order, ordinance, or regulation by any municipality or other political subdivision of this state. Any

1 existing or future orders, ordinances, or regulations in this field,
2 except as provided for in paragraph 2 of this subsection and
3 subsection C of this section, are 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,

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 accessories, attachments, 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~~ four hundred (400) feet per second.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1289.31 of Title 21, unless
5 there is created a duplication in numbering, reads as follows:

6 A. This act shall be known and may be cited as the "Firearm
7 Accessory Protection Act".

8 B. Certified peace officers of this state shall not confiscate
9 nor enforce any ban on the sale, transfer, use, or possession of
10 bump stocks, arm braces, or any other attachment or accessory added
11 to a firearm.

12 C. Any person who has had his or her ability to sell, transfer,
13 use, or possess a bump stock, arm brace, or any other attachment or
14 accessory impeded by a certified peace officer may file a civil
15 action against the agency, department, or organization responsible
16 for the conduct of the certified peace officer for damages incurred
17 due to the impediment.

18 SECTION 3. This act shall become effective November 1, 2024.

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