

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 732

6 By: Dahm and Hamilton

7 COMMITTEE SUBSTITUTE

8 An Act relating to firearms regulation; amending 21  
9 O.S. 2011, Section 1289.24, as last amended by  
10 Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
11 2020, Section 1289.24), which relates to state  
12 preemption of firearm regulation; modifying  
13 inclusions; and providing an effective date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.24, as  
16 last amended by Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
17 2020, Section 1289.24), is amended to read as follows:

18 Section 1289.24.

19 FIREARM REGULATION - STATE PREEMPTION

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

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

3 2. A municipality may adopt any ordinance:

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

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

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

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

22 B. No municipality or other political subdivision of this state  
23 shall adopt any order, ordinance, or regulation concerning in any  
24 way the sale, purchase, purchase delay, transfer, ownership, use,

1 keeping, possession, carrying, bearing, transportation, licensing,  
2 permit, registration, taxation other than sales and compensating use  
3 taxes, or other controls on firearms, knives, firearm and ammunition  
4 components, ammunition, and supplies.

5 C. Except as hereinafter provided, this section shall not  
6 prohibit any order, ordinance, or regulation by any municipality  
7 concerning the confiscation of property used in violation of the  
8 ordinances of the municipality as provided for in Section 28-121 of  
9 Title 11 of the Oklahoma Statutes. Provided, however, no municipal  
10 ordinance relating to transporting a firearm or knife improperly may  
11 include a provision for confiscation of property.

12 D. When a person's rights pursuant to the protection of the  
13 preemption provisions of this section have been violated, the person  
14 shall have the right to bring a civil action against the persons,  
15 municipality, and political subdivision jointly and severally for  
16 injunctive relief or monetary damages or both.

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

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