

An Act

ENROLLED SENATE
BILL NO. 1081

By: Dahm, Bullard, Murdock and
Bergstrom of the Senate

and

Steagall, Roberts (Dustin),
Grego, Hardin (David),
Patzkowsky, Hill, Taylor,
Caldwell (Chad), Roberts
(Sean), Boles, Lawson, West
(Kevin) and Smith of the
House

An Act relating to state preemption of extreme risk protection orders; creating the Anti-Red Flag Act; preempting field of legislation relating to extreme risk protection orders; providing definition; providing for codification; and declaring an emergency.

SUBJECT: Firearms

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 1289.24b of Title 21, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Anti-Red Flag Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1289.24c of Title 21, unless there is created a duplication in numbering, reads as follows:

A. The State Legislature hereby occupies and preempts the entire field of legislation in this state touching in any way extreme risk protection orders against or upon a citizen of this state to the complete exclusion of any order, ordinance or regulation by any municipality or other political subdivision of this state.

B. Any agency of this state or any political subdivision in this state shall be prohibited from accepting any grants or funding to implement any statute, rule or executive order, judicial order or judicial findings that would have the effect of forcing an extreme risk protection order against or upon a citizen of this state.

C. For purposes of this section, "extreme risk protection order" means an executive order, written order or warrant issued by a court or signed by a magistrate or comparable officer of the court, for which the primary purpose is to reduce the risk of firearm-related death or injury by doing one or more of the following:

1. Prohibiting a named individual from having under the custody or control of the individual, owning, possessing or receiving a firearm; or

2. Having a firearm removed or requiring the surrender of firearms from a named individual.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 12th day of March, 2020.

Presiding Officer of the Senate

Passed the House of Representatives the 15th day of May, 2020.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____