1	SENATE FLOOR VERSION
2	February 22, 2021
3	SENATE BILL NO. 926 By: Jett and Bergstrom
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6	An Act relating to firearm regulation; amending 21
7	O.S. 2011, Section 1289.24, as last amended by Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1289.24), which relates to state
8	preemption; modifying inclusions; allowing certain action; and providing an effective date.
9	action, and providing an effective date.
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11	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
12	SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.24, as
13	last amended by Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp.
14	2020, Section 1289.24), is amended to read as follows:
15	Section 1289.24.
16	FIREARM REGULATION - STATE PREEMPTION
17	A. 1. The State Legislature hereby occupies and preempts the
18	entire field of legislation in this state touching in any way
19	firearms, air powered pistol, knives, components, ammunition, and
20	supplies to the complete exclusion of any order, ordinance, or
21	regulation by any municipality or other political subdivision of
22	this state. Any existing or future orders, ordinances, or
23	regulations in this field, except as provided for in paragraph 2 of
24	this subsection and subsection C of this section, are null and void.

SENATE FLOOR VERSION - SB926 SFLR (Bold face denotes Committee Amendments) Page 1

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2. A municipality may adopt any ordinance:

relating to the discharge of firearms within the 2 a. 3 jurisdiction of the municipality, and allowing the municipality to issue a traffic citation 4 b. 5 for transporting a firearm improperly as provided for in Section 1289.13A of this title, provided, however, 6 that penalties contained for violation of any 7 ordinance enacted pursuant to the provisions of this 8 9 subparagraph shall not exceed the penalties 10 established in the Oklahoma Self-Defense Act, and 11 allowing the municipality to issue a citation for с. 12 discharging an air powered pistol when the projectile leaves the premises that it was discharged from by an 13 authorized premises owner, renter or tenant. 14

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

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

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B. No municipality or other political subdivision of this state
shall adopt any order, ordinance, or regulation concerning in any
way the sale, purchase, purchase delay, transfer, ownership, use,
keeping, possession, carrying, bearing, transportation, licensing,
permit, registration, taxation other than sales and compensating use
taxes, or other controls on firearms, knives, components,
ammunition, and supplies.

8 C. Except as hereinafter provided, this section shall not 9 prohibit any order, ordinance, or regulation by any municipality 10 concerning the confiscation of property used in violation of the 11 ordinances of the municipality as provided for in Section 28-121 of 12 Title 11 of the Oklahoma Statutes. Provided, however, no municipal 13 ordinance relating to transporting a firearm or knife improperly may 14 include a provision for confiscation of property.

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

20 SECTION 2. This act shall become effective November 1, 2021.
21 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
February 22, 2021 - DO PASS
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