

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL\_23\_\_

By: Dahm

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5  
6 AS INTRODUCED

7 An Act relating to the Second Amendment; amending 21  
8 O.S. 2021, Section 1289.24e, which relates to the  
9 Second Amendment Sanctuary State Act; allowing  
certain detention or arrest; and providing an  
effective date.

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

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

15 Section 1289.24e. A. The State Legislature hereby occupies and  
16 preempts the entire field of legislation by any agency of this state  
17 or any political subdivision in this state to infringe upon the  
18 rights of a citizen of the State of Oklahoma, the unalienable right  
19 to keep and bear arms as guaranteed to them by the Second Amendment  
20 of the United States Constitution.

21 B. Any federal, state, county or municipal act, law, executive  
22 order, administrative order, court order, rule, policy or regulation  
23 ordering the buy-back, confiscation or surrender of firearms,  
24 firearm accessories or ammunition from law-abiding citizens of this  
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1 state shall be considered an infringement on the rights of citizens  
2 to keep and bear arms as guaranteed by the Second Amendment of the  
3 Constitution of the United States and Article II, Section 26 of the  
4 Constitution of Oklahoma.

5 C. It shall be the duty of the courts and law enforcement  
6 agencies of this state to protect the rights of law-abiding citizens  
7 to keep and to bear arms within the borders of this state and to  
8 protect these rights from the infringement provided under the  
9 provisions of ~~this act~~ the Second Amendment Sanctuary State Act.

10 Pursuant to the provisions of this act, a county sheriff shall have  
11 the authority to detain or arrest any federal employee operating  
12 within the county of the sheriff's jurisdiction while enforcing any  
13 federal act, law, executive order, administrative order, court  
14 order, rule, policy, or regulation in violation of subsection B of  
15 this section.

16 D. The preemption provided in ~~this act~~ the Second Amendment  
17 Sanctuary State Act shall include:

18 1. Any regulation of arms and ammunition, pursuant to the  
19 National Firearms Act of 1934, prohibited or regulated on or after  
20 ~~the effective date of this act~~ April 26, 2021; and

21 2. Any regulations or provision of the Gun Control Act of 1968,  
22 prohibited or regulated on or after ~~the effective date of this act~~  
23 April 26, 2021.

24 E. For purposes of this section:  
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1. "Arms" is defined as any firearm, firearm part, accessory or ammunition required to render that firearm operable and effective;

2. "Infringement" shall mean any law that reduces, represses, diminishes or subverts the right to keep and bear arms, ammunition, parts and accessories in any amount that is legal as of ~~the~~ effective date of this act April 26, 2021, of any citizen in this state; and

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

SECTION 2. This act shall become effective November 1, 2023.

59-1-977                      BG                      12/12/2022 11:02:14 AM