

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 635

By: Deevers

AS INTRODUCED

An Act relating to firearms; creating the Firearm Preservation Act; providing short title; defining terms; prohibiting law enforcement from taking certain action; requiring auction of certain firearms; requiring certain criminal history record check; stating authorized use for certain proceeds; requiring certain compliance; prohibiting certain liability; requiring maintenance of certain records; providing penalties; directing deposit of certain fine into General Revenue Fund; providing for codification; and providing an effective date.

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

A. This act shall be known and may be cited as the "Firearm Preservation Act".

B. As used in this act:

1. "Federal firearms license" means a license issued by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives that authorizes an individual or entity to engage in certain activities related to firearms;

1           2. "Firearm" means any weapon that will or is designed to expel  
2 a projectile by the action of an explosive; and

3           3. "Law enforcement agency" means any state, county, municipal,  
4 or other law enforcement entity in this state.

5           C. 1. A firearm obtained through a court-ordered turnover,  
6 estate settlement due to death, forfeiture, or any other method of  
7 acquisition by this state or any political subdivision thereof shall  
8 not be destroyed or rendered permanently inoperable.

9           2. Any such firearm obtained by this state or any political  
10 subdivision thereof shall be retained by the acquiring entity until  
11 the firearm is lawfully disposed of pursuant to the provisions of  
12 this act.

13           D. 1. A law enforcement agency shall auction firearms obtained  
14 pursuant to the provisions of this act exclusively to individuals  
15 who are lawfully eligible to purchase such firearms under state and  
16 federal law.

17           2. An individual who purchases a handgun shall be subject to,  
18 and pass, any required criminal history record check required by  
19 state and federal law.

20           3. Any proceeds from an auction of firearms shall be allocated  
21 to the law enforcement agency that conducted the auction for  
22 operational expenses, training, or other purposes consistent with  
23 state law.

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1 4. A firearm shall be transferred in compliance with any  
2 applicable state and federal regulations.

3 E. No law enforcement agency nor personnel thereof shall be  
4 held liable in a civil or criminal proceeding for any harm, injury,  
5 or death caused by the subsequent use of a firearm that was  
6 auctioned to an eligible buyer pursuant to the provisions of this  
7 act.

8 F. 1. Any law enforcement agency that conducts an auction  
9 pursuant to the provisions of this act shall maintain records of all  
10 auctioned firearms, including the firearm purchaser's federal  
11 firearms license number and a record of payment.

12 2. Such records shall be retained for a period of no less than  
13 five (5) years and shall be subject to inspection by the Attorney  
14 General.

15 G. 1. Any law enforcement agency in violation of the  
16 provisions of this act shall be subject to a fine of Five Hundred  
17 Dollars (\$500.00) for the first offense and a fine of One Thousand  
18 Dollars (\$1,000.00) for each subsequent offense.

19 2. Any fine collected pursuant to the provisions of this  
20 section shall be deposited into the General Revenue Fund.

21 SECTION 2. This act shall become effective November 1, 2025.

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