

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1771

By: Toure

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1289.24, as last amended by Section 9, Chapter 191, O.S.L. 1996 (21 O.S. Supp. 1996, Section 1289.24), which relates to state preemption of firearms regulation; adding exception; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1289.24, as last amended by Section 9, Chapter 191, O.S.L. 1996 (21 O.S. Supp. 1996, Section 1289.24), is amended to read as follows:

Section 1289.24

FIREARM REGULATION - STATE PREEMPTION

A. The State Legislature hereby occupies and preempts the entire field of legislation in this state touching in any way firearms, components, ammunition, and supplies to the complete exclusion of any order, ordinance, or regulation by any municipality or other political subdivision of this state. Any existing or future orders, ordinances, or regulations in this field, except as provided for in subsection C of this section, are null and void. Provided, however, a municipality may adopt any ordinance relating

to the discharge of firearms within the jurisdiction of the municipality.

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, components, ammunition, and supplies.

C. Nothing contained in this section shall prohibit any order, ordinance, or regulation by any municipality concerning the confiscation of property used in violation of the ordinances of the municipality as provided for in Section 28-121 of Title 11 of the Oklahoma Statutes.

D. Nothing contained in this section shall prohibit any order, ordinance, or regulation by any municipality concerning the possession of firearms by juveniles or the prosecution of juveniles in municipal court as authorized by Section 7303-1.2 of Title 10 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 1997.

46-1-5629

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