

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2696

By: Worthen

COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1321.4, which relates to state of emergency; removing ability of Governor to restrict certain weapon possession; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 1321.4, is amended to read as follows:

Section 1321.4 (a) The Governor during the existence of a state of emergency, by proclamation, may, in the area described by the proclamation, which said proclamation shall not cover any part or portion of the state not affected by public disorder, disaster, or riot at the time said proclamation is issued, prohibit:

(1) any person being on the public streets, or in the public parks or at any other public place during the hours declared by the Governor to be a period of curfew;

(2) a designated number of persons, as designated by the Governor, from assembling or gathering on the public streets, parks, or other open areas of this state, either public or private;

(3) the manufacture, transfer, use, possession or transportation of a molotov cocktail or any other device, instrument or object designed to explode or produce uncontained combustion;

(4) the transporting, possessing or using of gasoline, kerosene, or combustible, flammable, or explosive liquids or materials in a glass or uncapped container of any kind except in

connection with the normal operation of motor vehicles, normal home use or legitimate commercial use;

~~(5) the possession of firearms or any other deadly weapon by a person (other than a law enforcement officer) in a place other than that person's place of residence or business;~~

~~(6)~~ the sale, purchase or dispensing of alcoholic beverages;

~~(7)~~ (6) the sale, purchase or dispensing of other commodities or goods, as he reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace;

~~(8)~~ (7) the use of certain streets, highways or public ways by the public; and

~~(9)~~ (8) such other activities as he reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace.

(b) In imposing the restrictions provided for by this act, the Governor may impose them for such times, upon such conditions, with such exceptions and in such areas of this state ~~he~~ the Governor from time to time deems necessary.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and 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.

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