

1 STATE OF OKLAHOMA

2 2nd Session of the 50th Legislature (2006)

3 HOUSE BILL 2696

By: Worthen

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6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2001, Section 1321.4, which relates to state
9 of emergency; removing ability of Governor to
restrict certain weapon possession; 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. 2001, Section 1321.4, is
14 amended to read as follows:

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

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

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

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

29 (4) the transporting, possessing or using of gasoline,
30 kerosene, or combustible, flammable, or explosive liquids or
31 materials in a glass or uncapped container of any kind except in
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1 connection with the normal operation of motor vehicles, normal home
2 use or legitimate commercial use;

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

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

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

10 ~~(8)~~ (7) the use of certain streets, highways or public ways by
11 the public; and

12 ~~(9)~~ (8) such other activities as he reasonably believes should
13 be prohibited to help preserve and maintain life, health, property
14 or the public peace.

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

19 SECTION 2. This act shall become effective November 1, 2006.

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21 50-2-8139 CJB 01/09/06

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