

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1760

By: Sykes

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5  
6 AS INTRODUCED

7 An Act relating to the Oklahoma Riot Control and  
8 Prevention Act; amending 21 O.S. 2011, Section  
9 1321.4, which relates to prohibited acts; providing  
10 that certain provisions shall not be construed to  
allow certain actions by certain officials under  
certain circumstances; and providing an effective  
date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1321.4, is  
15 amended to read as follows:

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

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

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

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

7       ~~(4)~~ the 4. The transporting, possessing or using of gasoline,  
8 kerosene, or combustible, flammable, or explosive liquids or  
9 materials in a glass or uncapped container of any kind except in  
10 connection with the normal operation of motor vehicles, normal home  
11 use or legitimate commercial use;

12       ~~(5)~~ the 5. The sale, purchase or dispensing of alcoholic  
13 beverages;

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

18       ~~(7)~~ the 7. The use of certain streets, highways or public ways  
19 by the public; and

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

23       ~~(b)~~ B. Nothing in this section shall be construed to allow any  
24 official of a municipal or state entity to prohibit or suspend the

1 sale, ownership, possession, transportation, carrying, registration,  
2 transfer and storage of firearms, ammunition and ammunition  
3 accessories during a declared state of emergency, that are otherwise  
4 legal under state law.

5 C. In imposing the restrictions provided for by ~~this act~~ the  
6 Oklahoma Riot Control and Prevention Act, the Governor may impose  
7 them for such times, upon such conditions, with such exceptions and  
8 in such areas of this state the Governor from time to time deems  
9 necessary.

10 SECTION 2. This act shall become effective November 1, 2012.

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