

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1487

By: Ritze

4
5
6
7 AS INTRODUCED

8 An Act relating to state government; prohibiting
9 certain entities and persons from assisting the armed
10 forces of the United States in detaining Oklahoma
citizens; providing for codification; and providing
an effective date.

11
12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 3120 of Title 74, unless there
16 is created a duplication in numbering, reads as follows:

17 No state agency or other unit or subdivision of state
18 government, employee acting in his or her official capacity, or
19 member of the Military Department of the State of Oklahoma, Army
20 National Guard of Oklahoma or Air National Guard of Oklahoma when
21 such member is serving on official state duty shall knowingly aid an
22 agency of the armed forces of the United States in the detention of
23 any Oklahoma citizen pursuant to Title 50 of the United States Code,
24 Section 1541, as provided by the National Defense Authorization Act

1 for Fiscal Year 2012 (Pub. L. No. 112-81, Section 1021), if such aid
2 would knowingly place any state agency or other unit or subdivision
3 of state government, employee of such state agency or other unit or
4 subdivision of state government, or aforementioned member of the
5 Military Department of the State of Oklahoma, Army National Guard of
6 Oklahoma or Air National Guard of Oklahoma in violation of the
7 United States Constitution, the Constitution of Oklahoma, any
8 provision of the Oklahoma Statutes, any act of the Legislature, or
9 any rule or regulation of the Oklahoma Administrative Code.

10 The provisions of this section shall not apply to participation
11 by state or local law enforcement, the Military Department of the
12 State of Oklahoma, Army National Guard of Oklahoma or Air National
13 Guard of Oklahoma in joint task forces, partnerships, or other
14 similar cooperative agreement with federal law enforcement as long
15 as the cooperative agreement is not for the purpose of participating
16 in such detentions provided for in Section 1021 of the National
17 Defense Authorization Act for Fiscal Year 2012.

18 SECTION 2. This act shall become effective November 1, 2013.
19

20 54-1-5024 GRS 12/19/12
21
22
23
24