

1 ENGROSSED SENATE
2 BILL NO. 1760

By: Sykes, Allen, Garrison,
Russell, Shortey, Simpson
and Jolley of the Senate

3
4 and

5 Shannon of the House
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7

8 An Act relating to the Oklahoma Riot Control and
9 Prevention Act; amending 21 O.S. 2011, Section
10 1321.4, which relates to prohibited acts; providing
11 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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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

22 ~~(1) — any~~ 1. Any person being on the public streets, or in the
23 public parks or at any other public place during the hours declared
24 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, transfer and
2 storage of firearms, ammunition and ammunition accessories during a
3 declared state of emergency, that are otherwise legal under state
4 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.

11 Passed the Senate the 13th day of March, 2012.

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13 _____
14 Presiding Officer of the Senate

15 Passed the House of Representatives the ____ day of _____,
16 2012.

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19 Presiding Officer of the House
20 of Representatives
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