

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2805 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Lewis Moore

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2805

By: Moore

7  
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to firearms; defining terms; making  
10 certain firearms, firearm accessories or ammunition  
11 exempt from federal law or federal regulation;  
12 providing exceptions; requiring certain  
13 identification mark on firearms manufactured in  
14 Oklahoma; making certain acts unlawful; providing  
15 penalties; providing exceptions; providing for  
16 codification; providing for noncodification; and  
17 providing an effective date.

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20  
21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. NEW LAW A new section of law not to be  
23 codified in the Oklahoma Statutes reads as follows:

24 This act shall be known and may be cited as the "Oklahoma  
Firearms Sales and Manufacturing Initiative".

SECTION 2. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 16-101 of Title 12A, unless  
there is created a duplication in numbering, reads as follows:

A. For purposes of this section:

1        1. "Borders of Oklahoma" means the boundaries of Oklahoma  
2 described in Section 3 of Article I of the Oklahoma Constitution;

3        2. "Firearm accessory" means items that are used in conjunction  
4 with or mounted upon a firearm but are not essential to the basic  
5 function of a firearm including, but not limited to, telescopic or  
6 laser sights, magazines, flash or sound suppressors, collapsible or  
7 adjustable stocks and grips, pistol grips, thumbhole stocks,  
8 speedloaders, ammunition carriers and lights for target  
9 illumination;

10       3. "Generic and insignificant parts" includes but is not  
11 limited to springs, screws, nuts and pins; and

12       4. "Manufacture" means to assemble using multiple components to  
13 create a more useful, finished product.

14       B. A personal firearm, a firearm accessory or ammunition that  
15 is manufactured commercially or privately and owned in Oklahoma and  
16 that remains within the borders of Oklahoma is not subject to  
17 federal law, treaty, federal regulation or federal executive action,  
18 including any federal firearm or ammunition registration program,  
19 under the authority of the United States Congress to regulate  
20 interstate commerce. It is declared by the Oklahoma Legislature  
21 that those items have not traveled in interstate commerce. This  
22 section applies to a firearm, a firearm accessory or ammunition that  
23 is manufactured commercially or privately and owned in the State of  
24 Oklahoma.

1 C. Component parts are not firearms, firearm accessories or  
2 ammunition, and their importation into Oklahoma and incorporation  
3 into a firearm, a firearm accessory or ammunition manufactured and  
4 owned in Oklahoma does not subject the firearm, firearm accessory or  
5 ammunition to federal regulation.

6 D. Firearm accessories that are imported into Oklahoma from  
7 another state and that are subject to federal regulation as being in  
8 interstate commerce do not subject a firearm to federal regulation  
9 under interstate commerce because the firearm accessories are  
10 attached to or used in conjunction with a firearm in Oklahoma.

11 E. A firearm manufactured in Oklahoma under the provisions of  
12 this section shall have the words "Made in Oklahoma" clearly stamped  
13 on a central metallic part of the firearm, such as the receiver or  
14 frame.

15 F. Any act, law, treaty, order, rule or regulation of the  
16 government of the United States which violates the Second Amendment  
17 to the United States Constitution is null, void and unenforceable in  
18 the State of Oklahoma.

19 G. 1. No official, agent or employee of the State of Oklahoma,  
20 nor any dealer selling any firearm in the State of Oklahoma, shall  
21 enforce or attempt to enforce any act, law, treaty, order, rule or  
22 regulation of the government of the United States regarding any  
23 personal firearm, firearm accessory or ammunition that is  
24

1 manufactured commercially or privately and owned in the State of  
2 Oklahoma and that remains within the borders of Oklahoma.

3       2. It is unlawful for any official, agent or employee of the  
4 government of the United States, or employee of a corporation  
5 providing services to the government of the United States to enforce  
6 or attempt to enforce any act, law, treaty, order, rule or  
7 regulation of the government of the United States regarding a  
8 firearm, a firearm accessory, or ammunition that is manufactured  
9 commercially or privately and owned in the State of Oklahoma and  
10 that remains within the borders of Oklahoma. Any person violating  
11 the provisions of this subsection shall, upon conviction, be guilty  
12 of a felony punishable by imprisonment in the custody of the  
13 Department of Corrections for a term of not less than one (1) year,  
14 or by a fine of Five Thousand Dollars (\$5,000.00), or by both such  
15 fine and imprisonment.

16       H. The provisions of this section shall not apply to:

17       1. A firearm that cannot be carried and used by one person;

18       2. Ammunition with a projectile that explodes using an  
19 explosion of chemical energy after the projectile leaves the  
20 firearm; or

21       3. Other than shotguns, a firearm that discharges two or more  
22 projectiles with one activation of the trigger or other firing  
23 device.

1 I. No physician, other than a psychiatrist, shall inquire of  
2 any patient in conjunction with obtaining the personal information  
3 and medical history of the patient, whether the patient has any  
4 firearms in the home of the patient or on the property of the  
5 patient and shall not require such information before providing  
6 treatment.

7 SECTION 3. This act shall become effective November 1, 2014.

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9 54-2-9970 GRS 02/11/14  
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