

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

SENATE JOINT
RESOLUTION 67

By: Dahm

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 26 of Article II of the Constitution of the State of Oklahoma; clarifying manner in which citizens may keep and bear arms; providing for strict scrutiny of certain right; providing for citizens of other states to bear arms in this state; authorizing legislation to prohibit certain person from possession of arms; prohibiting certain laws relating to licensure, registration or special taxation; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 26 of Article II of the Oklahoma Constitution to read as follows:

Section 26. A. The fundamental right of a each individual
citizen to keep and to bear arms ~~in defense of his home, person, or~~
~~property,~~ including semi-automatic and manually loading handguns,

1 rifles and shotguns, knives, non-lethal defensive weapons and any
2 other arms in common use in this state, as well as ammunition and
3 the components of arms and ammunition for security, self-defense,
4 lawful hunting and recreation or in aid of the civil power, when
5 thereunto ~~legally~~ lawfully summoned, shall ~~never be prohibited; but~~
6 ~~nothing herein contained shall prevent the Legislature from~~
7 ~~regulating the carrying of weapons~~ not be infringed.

8 B. Regulations of this right shall be subject to strict
9 scrutiny. In particular, regulations of the exercise in public
10 places of the right to bear arms shall:

- 11 1. Be narrowly tailored to a compelling interest;
- 12 2. Be based on objective and uniform standards; and
- 13 3. Not impose burdens that frustrate or impair the ability of
14 peaceable citizens to bear arms for their security and self-defense.

15 Nothing contained in this subsection shall prevent this state
16 from authorizing citizens of other states to bear arms in this
17 state.

18 C. This section shall not prevent legislation prohibiting the
19 possession of arms by those convicted of any violent or otherwise
20 dangerous felony, those adjudicated as mentally incompetent or those
21 who have been committed to any mental institution.

22 D. No law shall impose licensure, registration or special
23 taxation on the acquisition, ownership or possession of arms,
24 ammunition or the components of arms or ammunition.

1 SECTION 2. The Ballot Title for the proposed Constitutional
2 amendment as set forth in SECTION 1 of this resolution shall be in
3 the following form:

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends the State Constitution. This measure deals
8 with the right of a citizen to keep and bear arms. The change
9 to this section will make clear what types of weapons and for
10 what purpose the weapons may be kept and borne, and for what
11 purposes. The change would also clarify that regulations by the
12 state on the right to keep and bear arms shall be subject to
13 strict scrutiny. The change will allow laws prohibiting the
14 possession of arms by felons or the mentally incompetent. The
15 change would also prohibit laws to impose licensure,
16 registration or special taxation on the acquisition, ownership
17 or possession of arms or ammunition.

18 SHALL THE PROPOSAL BE APPROVED?

19 FOR THE PROPOSAL — YES _____

20 AGAINST THE PROPOSAL — NO _____

21 SECTION 3. The President Pro Tempore of the Senate shall,
22 immediately after the passage of this resolution, prepare and file
23
24

1 one copy thereof, including the Ballot Title set forth in SECTION 2
2 hereof, with the Secretary of State and one copy with the Attorney
3 General.

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