

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE JOINT
RESOLUTION 1009

By: Fisher

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; stating legislative authority; prohibiting certain laws; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
1ST SESSION OF THE 55TH 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 Constitution of the State of Oklahoma 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, or, including handguns, rifles, shotguns, knives, nonlethal defensive weapons and other arms in common use, as well as ammunition and the components of arms and ammunition, for security,

1 self-defense, lawful hunting and recreation, in aid of the civil
2 power, when thereunto legally lawfully summoned, or for any other
3 legitimate purpose shall never not be prohibited; but nothing herein
4 contained shall prevent the Legislature from regulating the carrying
5 of weapons infringed. Any regulation of this right shall be subject
6 to strict scrutiny and the State of Oklahoma shall be obligated to
7 uphold these rights and shall, under no circumstances, decline to
8 protect against their infringement.

9 B. This section shall not prevent the Legislature from
10 prohibiting the possession of arms by convicted felons, those
11 adjudicated as mentally incompetent or those who have been
12 involuntarily committed in any mental institution.

13 C. No law shall impose registration or special taxation upon
14 the keeping of arms, including the acquisition, ownership,
15 possession or the transfer of arms, ammunition or the components of
16 arms or ammunition.

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

20 BALLOT TITLE

21 Legislative Referendum No. _____ State Question No. _____

22 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

23 This measure amends the State Constitution. This measure

24 addresses the right of a citizen to keep and bear arms. The

changes to this section will make clear what types of weapons and for what purpose the weapons may be kept. It would state that regulations by the state on the right to keep and bear arms would be subject to strict scrutiny. The changes would also allow the state to prohibit certain persons from possessing arms. It would not allow the passage of laws that would require the registration of arms or special taxation of arms.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES

AGAINST THE PROPOSAL — NO

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this act, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

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