

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HJR1009

By: Fisher of the House and Sykes of the Senate

Title: Constitutional amendment; clarifying manner in which citizens may keep and bear arms;
ballot title; filing.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

Sykes	_____
Justice	_____
Jolley	_____
Dahm	_____
Griffin	_____
Sparks	_____
Floyd	_____

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

CONFERENCE COMMITTEE
SUBSTITUTE FOR
ENGROSSED HOUSE JOINT
RESOLUTION NO. 1009

By: Fisher, Bennett, Brumbaugh,
Coody (Jeff), Calvey,
Cleveland, Enns, Echols,
Roberts (Sean), Murphey,
Newell, Kern, Wesselhoft,
Montgomery, Wright, Kirby,
Park, Leewright, Johnson,
Kannady, Osborn, Wallace,
Faught, Strohm, McCullough,
Caldwell, Moore, Wood,
Ownbey, Martin, Scott,
Proctor, McBride, Ritze and
Christian of the House

and

Sykes, Silk, Shortey,
Allen, Stanislawski,
Brecheen, Dahm, Griffin,
Anderson, Loveless, Fry,
Dossett, Sharp and Thompson
of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

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.

1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
2 2ND SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

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

7 Section 26. A. The fundamental right of a each individual
8 citizen to keep and to bear arms in defense of his home, person, or
9 property, or, including handguns, rifles, shotguns, nonlethal
10 defensive weapons and other arms in common use, as well as
11 ammunition and the components of arms and ammunition, for security,
12 self-defense, lawful hunting and recreation, in aid of the civil
13 power, when thereunto legally lawfully summoned, or for any other
14 legitimate purpose shall never not be prohibited; but nothing herein
15 contained shall prevent the Legislature from regulating the carrying
16 of weapons infringed by the state or by a political subdivision,
17 agency or instrumentality thereof. Any regulation of this right
18 shall be subject to strict scrutiny.

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

23 C. No law shall impose registration or special taxation upon
24 the keeping of arms, including the acquisition, ownership,

1 possession or the transfer of arms, ammunition or the components of
2 arms or ammunition.

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

6 BALLOT TITLE

7 Legislative Referendum No. _____ State Question No. _____

8 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

9 This measure amends the State Constitution. This measure
10 addresses the right of a citizen to keep and bear arms. The
11 changes to this section will make clear what types of weapons
12 and for what purpose the weapons may be kept. It would state
13 that the right to keep and bear arms shall not be infringed upon
14 by the state and any regulations would be subject to strict
15 scrutiny. The changes would also allow the state to prohibit
16 certain persons from possessing arms. It would not allow the
17 passage of laws that would require the registration of arms or
18 special taxation of arms.

19 SHALL THE PROPOSAL BE APPROVED?

20 FOR THE PROPOSAL — YES _____

21 AGAINST THE PROPOSAL — NO _____

22 SECTION 3. The Chief Clerk of the House of Representatives,
23 immediately after the passage of this act, shall prepare and file
24 one copy thereof, including the Ballot Title set forth in SECTION 2

1 hereof, with the Secretary of State and one copy with the Attorney
2 General.

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4 55-2-9916 GRS 05/03/16

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