

1 ENGROSSED HOUSE
2 BILL NO. 1237

By: McCall, McBride, Roberts
(Sean), Davis, Miller,
O'Donnell, Olsen, Dills,
3 Moore, Roberts (Dustin),
Pfeiffer, McDugle, Burns,
4 Ford, West (Tammy), Roe,
Sims, May, Dempsey,
5 Dobrinski, Crosswhite
Hader, Stearman, Conley,
6 Townley, Bashore, Lowe
(Dick), Patzkowsky, West
7 (Kevin), Worthen, Manger,
Grego, Sterling, Sneed,
8 Hardin (David), Martinez,
Marti, Boles, Luttrell,
9 Osburn, Frix, Kerbs,
Vancuren, Johns, Russ, West
10 (Rick), Baker, Hill, Gann,
Cornwell, Steagall, Lawson,
11 Talley, Stark, Hilbert,
Culver, Smith, Randleman,
12 Mize, Wolfley, Kendrix,
Caldwell (Trey), Echols,
13 Roberts (Eric), Humphrey
and Lepak

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17 An Act relating to the United States; providing for
18 review of presidential executive orders and federal
actions; prohibiting implementation of
19 unconstitutional actions; providing for codification;
and providing an effective date.

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22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
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1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 101 of Title 80, unless there is
3 created a duplication in numbering, reads as follows:

4 A. The Legislature may review any executive order issued by the
5 President of the United States, federal agency rule or federal
6 congressional action to determine the constitutionality of such
7 action. Upon recommendation from the Legislature, the Attorney
8 General shall review such action by the federal government to
9 determine the constitutionality of the action and whether the state
10 should seek an exemption from the application of the action or seek
11 to have the action declared unconstitutional by a court of competent
12 jurisdiction and prevent, prohibit or enjoin enforcement of the
13 unconstitutional order, rule or action.

14 B. Should the Attorney General decline to pursue action based
15 upon the determination of the Legislature, the Legislature may
16 declare the action unconstitutional by a majority vote and shall
17 initiate an action to seek an exemption from the application of the
18 action or seek to have the action declared unconstitutional by a
19 court of competent jurisdiction and prevent, prohibit or enjoin
20 enforcement of the unconstitutional order, rule or action.

21 C. Notwithstanding any other provision of law, the state,
22 county, political subdivision or any other publicly funded
23 organization shall not implement, adopt or enforce any order,
24 federal agency rule or federal congressional action declared

1 unconstitutional under subsection A or B of this section including,
2 but not limited to:

3 1. Pandemics or other health emergencies;

4 2. The regulation of natural resources, including oil and
5 natural gas;

6 3. The regulation of the agriculture industry;

7 4. The use of land;

8 5. The regulation of the financial sector as it relates to
9 environmental, social or governance standards;

10 6. The regulation of the constitutional right to keep and bear
11 arms;

12 7. The regulation of education;

13 8. The regulation of interscholastic, intramural or other
14 extracurricular sports sponsored by an institution of higher
15 education, a school district or a charter school; or

16 9. Any other powers reserved by the State of Oklahoma or the
17 people of Oklahoma.

18 SECTION 2. This act shall become effective November 1, 2021.

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1 Passed the House of Representatives the 20th day of April, 2021.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2021.

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9 Presiding Officer of the Senate