

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2088

By: Deevers

AS INTRODUCED

An Act relating to firearm regulation; amending 21 O.S. 2021, Section 1289.24, which relates to state preemption; expanding scope of state preemption provision to include firearm and ammunition components; prohibiting the adoption of policies or resolutions that violate state preemption provision; clarifying procedures that authorize the filing of civil actions; authorizing award of court costs and certain fees to aggrieved party; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1289.24, is amended to read as follows:

Section 1289.24.

FIREARM REGULATION - STATE PREEMPTION

A. 1. The ~~State~~ Legislature hereby occupies and preempts the entire field of legislation in this state touching in any way firearms, ~~air-powered~~ air-powered pistols, ~~air-powered~~ air-powered rifles, knives, firearm and ammunition components, ammunition and supplies to the complete exclusion of any order, policy, ordinance, resolution, or regulation by any municipality, agency, or other

1 political subdivision of this state. Any existing or future orders,
2 policies, ordinances, resolutions, or regulations in this field,
3 except as provided for in paragraph 2 of this subsection and
4 subsection C of this section, are null and void.

5 2. A municipality may adopt any ordinance:

- 6 a. relating to the discharge of firearms within the
7 jurisdiction of the municipality,
8 b. allowing the municipality to issue a traffic citation
9 for transporting a firearm improperly as provided for
10 in Section 1289.13A of this title~~r~~; provided, however,
11 that penalties contained for violation of any
12 ordinance enacted pursuant to the provisions of this
13 subparagraph shall not exceed the penalties
14 established in the Oklahoma Self-Defense Act, and
15 c. allowing the municipality to issue a citation to an
16 individual or the parent or guardian of a minor who
17 discharges an ~~air-powered~~ air-powered pistol or ~~air~~
18 ~~powered~~ air-powered rifle in an intentional or
19 negligent manner which causes the projectile to leave
20 the intended premises.

21 3. As provided in the preemption provisions of this section,
22 the otherwise lawful carrying or possession of a firearm under the
23 provisions of Chapter 53 of this title shall not be punishable by
24 any municipality, agency, or other political subdivision of this
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1 state as disorderly conduct, disturbing the peace or a similar
2 offense against public order.

3 4. A public or private school may create a policy regulating
4 the possession of knives on school property or in any school bus or
5 vehicle used by the school for purposes of transportation.

6 B. No municipality, agency, or other political subdivision of
7 this state shall adopt any order, policy, ordinance, resolution, or
8 regulation concerning in any way the sale, purchase, purchase delay,
9 transfer, ownership, use, keeping, possession, carrying, bearing,
10 transportation, licensing, permit, registration, taxation other than
11 sales and compensating use taxes or other controls on firearms,
12 knives, firearm and ammunition components, ammunition and supplies.

13 C. ~~Except as hereinafter provided, this~~ This section shall not
14 be construed to prohibit any order, policy, ordinance, resolution,
15 or regulation by any municipality concerning the confiscation of
16 property used in violation of the ordinances of the municipality as
17 provided for in Section 28-121 of Title 11 of the Oklahoma Statutes.
18 Provided, however, no municipal ordinance relating to transporting a
19 firearm or knife improperly may include a provision for confiscation
20 of property.

21 D. When a person's rights pursuant to the protection of the
22 preemption provisions of this section have been violated by any
23 order, policy, ordinance, resolution, or regulation promulgated or
24 enforced by any person, municipality, agency, or other political

1 subdivision of this state, the person whose rights have been
2 violated shall have the right to bring a civil action against the
3 ~~persons~~ person, government employee if the government employee was
4 acting beyond the scope of employment, municipality, and agency, or
5 political subdivision jointly and severally for injunctive relief or
6 monetary damages or both.

7 E. A court may require the person, municipality, agency, or
8 political subdivision to pay court costs, expert witness fees, and
9 attorney fees to the aggrieved party in a civil action filed
10 pursuant to the provisions of subsection D of this section if:

11 1. The aggrieved party provides written notice of the unlawful
12 order, policy, ordinance, resolution, or regulation by certified,
13 first-class mail or service of process to the clerk of the
14 municipality or to the designated agent of the municipality, agency,
15 or political subdivision and allows the person, municipality,
16 agency, or political subdivision ninety (90) days to rescind,
17 repeal, or otherwise abrogate the order, policy, ordinance,
18 resolution, or regulation; and

19 2. A court rules in favor of the aggrieved person whose rights
20 were violated and the issue in controversy is governed by previously
21 settled law.

22 If the person, municipality, agency, or political subdivision
23 fails to rescind, repeal, or otherwise abrogate the unlawful order,
24 policy, ordinance, resolution, or regulation within ninety (90) days

1 of the required notice, as provided in paragraph 1 of this
2 subsection, and the order, policy, ordinance, resolution, or
3 regulation is subsequently rescinded, repealed, or otherwise
4 abrogated after the aggrieved party files suit, the aggrieved party
5 shall retain standing in the civil action and may recover damages,
6 court costs, expert witness fees, and attorney fees.

7 F. As used in this section, ~~air-powered pistol~~ "air-powered
8 pistol" or ~~air-powered rifle is~~ "air-powered rifle" means any pistol
9 or rifle that uses compressed air or other compressed gas to project
10 plastic BB-like or pellet-like projectiles at a speed not exceeding
11 ~~400~~ four hundred (400) feet per second.

12 SECTION 2. This act shall become effective November 1, 2026.

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