

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2901

By: Humphrey, **Crosswhite Hader,**
Hardin (David) and **Roberts**
(Dustin)

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9 COMMITTEE SUBSTITUTE

10 An Act relating to firearms; considering certain
11 action as infringing on the right to keep and bear
12 arms; directing courts and law enforcement agencies
13 to protect certain rights of law-abiding citizens;
14 prohibiting law enforcement officers from obeying or
15 enforcing certain orders; prohibiting the termination
16 or retaliation against a law enforcement officer for
17 refusing to obey or enforce certain orders;
18 prohibiting the state, counties and municipalities
19 from making cuts to funds or budgets of county
20 sheriffs offices or municipal police departments
21 under certain circumstances; defining term; providing
22 for codification; and providing an effective date.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2201 of Title 25, unless there
is created a duplication in numbering, reads as follows:

Any federal, state, county or municipal act, law, executive
order, administrative order, court order, rule or regulation

1 ordering the confiscation of firearms, firearm accessories or
2 ammunition from law-abiding citizens of this state shall be
3 considered an infringement on the rights of citizens to keep and
4 bear arms as guaranteed by the Second Amendment of the Constitution
5 of the United States and Article II, Section 26 of the Constitution
6 of Oklahoma.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 2202 of Title 25, unless there
9 is created a duplication in numbering, reads as follows:

10 It shall be the duty of the courts and law enforcement agencies
11 of this state to protect the rights of law-abiding citizens to keep
12 and bear arms within the borders of this state and to protect these
13 rights from the infringement provided under the provisions of
14 Section 1 of this act.

15 SECTION 3. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 2203 of Title 25, unless there
17 is created a duplication in numbering, reads as follows:

18 A. No law enforcement officer shall obey or enforce any direct
19 or indirect order which violates the Second Amendment of the
20 Constitution of the United States, Article II, Section 26 of the
21 Constitution of Oklahoma or the law enforcement oath of the law
22 enforcement officer.

23 B. Any agency or department of the State of Oklahoma, county or
24 municipality shall be prohibited from terminating or retaliating

1 against any law enforcement officer who refuses to obey or enforce
2 any order which violates the Second Amendment of the Constitution of
3 the United States, Article II, Section 26 of the Constitution of
4 Oklahoma or the law enforcement oath of the law enforcement officer.

5 C. The State of Oklahoma and any county or municipal government
6 shall not cut any funding or budget from a county sheriff's office
7 or municipal police department for:

8 1. Refusing to obey or enforce any order which violates the
9 Second Amendment of the Constitution of the United States, Article
10 II, Section 26 of the Constitution of Oklahoma or the law
11 enforcement oath of a law enforcement officer; or

12 2. Making any county or municipality a Second Amendment
13 sanctuary county or municipality.

14 SECTION 4. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 2204 of Title 25, unless there
16 is created a duplication in numbering, reads as follows:

17 For the purposes of Sections 1 and 2 of this act, the term "law-
18 abiding citizen" shall mean a person who is not otherwise precluded
19 under federal or state law from possessing a firearm and shall not
20 be construed to include anyone who is not legally present in the
21 United States or the State of Oklahoma.

22 SECTION 5. This act shall become effective November 1, 2020.

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24 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/27/2020 -
DO PASS, As Amended and Coauthored.