

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 HOUSE JOINT
5 RESOLUTION 1009

By: Fisher, Bennett, Brumbaugh,
6 Coody (Jeff), Calvey,
7 Cleveland, Enns, Echols,
8 Roberts (Sean), Murphey,
9 Newell, Kern, Wesselhoft,
10 Montgomery, Wright, Kirby,
11 Park, Leewright, Johnson,
12 Kannady, Osborn, Wallace,
13 Faught, Strohm, McCullough,
14 Caldwell, Moore and Wood

11 AS INTRODUCED

12 A Joint Resolution directing the Secretary of State
13 to refer to the people for their approval or
14 rejection a proposed amendment to Section 26 of
15 Article II of the Constitution of the State of
16 Oklahoma; clarifying manner in which citizens may
17 keep and bear arms; stating legislative authority;
18 prohibiting certain laws; providing ballot title; and
19 directing filing.

19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
20 1ST SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

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

1 Section 26. A. The fundamental right of a each individual
2 citizen to keep and to bear arms in defense of his home, person, or
3 property, or, including handguns, rifles, shotguns, knives,
4 nonlethal defensive weapons and other arms in common use, as well as
5 ammunition and the components of arms and ammunition, for security,
6 self-defense, lawful hunting and recreation, in aid of the civil
7 power, when thereunto ~~legally~~ lawfully summoned, or for any other
8 legitimate purpose shall never not be prohibited; but nothing herein
9 contained shall prevent the Legislature from regulating the carrying
10 of weapons infringed. Any regulation of this right shall be subject
11 to strict scrutiny and the State of Oklahoma shall be obligated to
12 uphold these rights and shall, under no circumstances, decline to
13 protect against their infringement.

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

18 C. No law shall impose registration or special taxation upon
19 the keeping of arms, including the acquisition, ownership,
20 possession or the transfer of arms, ammunition or the components of
21 arms or ammunition.

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

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the State Constitution. This measure 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.

COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/18/2015 - DO PASS, As Coauthored.