

1 and ammunition components, ammunition, and supplies to the complete
2 exclusion of any order, policy, ordinance, or regulation by any
3 municipality or other political subdivision of this state. Any
4 existing or future orders, policies, ordinances, or regulations in
5 this field, except as provided for in paragraph 2 of this subsection
6 and subsection C of this section, are null and void.

7 2. A municipality may adopt any ordinance:

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

22 3. As provided in the preemption provisions of this section,
23 the otherwise lawful carrying or possession of a firearm under the
24 provisions of Chapter 53 of this title shall not be punishable by

1 any municipality or other political subdivision of this state as
2 disorderly conduct, disturbing the peace or similar offense against
3 public order.

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

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

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

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

1 by any person, municipality, agency, or other political subdivision
2 of this state, the person shall have the right to bring a civil
3 action against the persons, municipality, agency, and political
4 subdivision jointly and severally for injunctive relief or monetary
5 damages or both.

6 E. A court may require the person, municipality, agency, or
7 political subdivision to pay reasonable expenses to the aggrieved
8 party in an action filed pursuant to the provisions of subsection D
9 of this section if:

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

16 2. A court grants final determination in favor of the aggrieved
17 party.

18 If the person, municipality, agency, or political subdivision
19 fails to rescind, repeal or otherwise abrogate the unlawful order,
20 policy, ordinance, or regulation within ninety (90) days of required
21 notice as provided in paragraph 1 of this subsection and the order,
22 policy, ordinance, or regulation is subsequently rescinded,
23 repealed, or otherwise abrogated after the aggrieved party files
24

1 suit, the aggrieved party shall retain standing in the suit and may
2 recover damages or reasonable expenses.

3 F. As used in this section, ~~air~~:

4 1. "Air powered pistol or air powered rifle" is any pistol or
5 rifle that uses compressed air or other compressed gas to project
6 plastic BB-like or pellet-like projectiles at a speed not exceeding
7 400 feet per second; and

8 2. "Reasonable expenses" includes, but is not limited to,
9 attorney fees, expert witness fees, and court costs.

10 SECTION 2. This act shall become effective November 1, 2022.

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12 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 03/01/2022 -
13 DO PASS, As Coauthored.

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