

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 513

By: Bergstrom

AS INTRODUCED

An Act relating to the Oklahoma Riot Control and Prevention Act; amending 21 O.S. 2021, Section 1321.4, which relates to acts which may be proclaimed prohibited; adding certain entities that are prohibited from taking certain actions; authorizing activity in certain place during state of emergency; modifying scope for which relief may be sought; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1321.4, is amended to read as follows:

Section 1321.4. A. The Governor during the existence of a state of emergency, by proclamation, may, in the area described by the proclamation, which proclamation shall not cover any part or portion of the state not affected by public disorder, disaster, or riot at the time the proclamation is issued, prohibit:

1. Any person being on the public streets, or in the public parks, or at any other public place during the hours declared by the Governor to be a period of curfew;

1        2. A designated number of persons, as designated by the  
2 Governor, from assembling or gathering on the public streets, parks,  
3 or other open areas of this state, either public or private;

4        3. The manufacture, transfer, use, possession, or  
5 transportation of a molotov cocktail or any other device,  
6 instrument, or object designed to explode or produce uncontained  
7 combustion;

8        4. The transporting, possessing, or using of gasoline,  
9 kerosene, or combustible, flammable, or explosive liquids or  
10 materials in a glass or uncapped container of any kind except in  
11 connection with the normal operation of motor vehicles, normal home  
12 use, or legitimate commercial use;

13        5. The sale, purchase, or dispensing of alcoholic beverages;

14        6. The sale, purchase, or dispensing of other commodities or  
15 goods, as the Governor reasonably believes should be prohibited to  
16 help preserve and maintain life, health, property, or the public  
17 peace;

18        7. The use of certain streets, highways, or public ways by the  
19 public; and

20        8. Such other activities as the Governor reasonably believes  
21 should be prohibited to help preserve and maintain life, health,  
22 property, or the public peace.

23        B. ~~Notwithstanding this section or any other law of this state,~~  
24 ~~neither the~~ The Governor ~~nor or~~ or any official of a ~~municipal~~

1 municipality, county, or political subdivision of this state, or any  
2 other state entity during the existence of a state of emergency,  
3 shall not prohibit or suspend ~~the sale~~:

4 1. The sale, ownership, possession, transportation, carrying,  
5 transfer, and storage of firearms, ammunition, and ammunition  
6 accessories during a declared state of emergency, that are otherwise  
7 legal under state law; or

8 2. Any activity in a place of worship during a declared state  
9 of emergency that is otherwise legal under state law.

10 C. In imposing the restrictions provided for by the Oklahoma  
11 Riot Control and Prevention Act, the Governor may impose them for  
12 such times, upon such conditions, with such exceptions, and in such  
13 areas of this state the Governor from time to time deems necessary.

14 D. Any individual aggrieved by a violation of subsection B of  
15 this section may seek relief in an action at law or in equity for  
16 redress against any person or against an official of a municipality,  
17 county, political subdivision, or other state entity who subjects  
18 such individual or causes such individual to be subjected to an  
19 action prohibited by subsection B of this section. In addition to  
20 any other remedy at law or in equity, an individual aggrieved by the  
21 seizure or confiscation of a firearm or ammunition in violation of  
22 paragraph 1 of subsection B of this section may bring an action for  
23 the return of such firearm or ammunition in the district court of  
24 the county in which that individual resides or in which such firearm

1 or ammunition is located. In any action or proceeding to enforce  
2 the provisions of this section, the court shall award the prevailing  
3 plaintiff costs and reasonable attorney fees.

4 SECTION 2. This act shall become effective November 1, 2025.

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