

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 513

By: Bergstrom

6 AS INTRODUCED

7 An Act relating to the Oklahoma Riot Control and  
8 Prevention Act; amending 21 O.S. 2021, Section  
9 1321.4, which relates to acts which may be proclaimed  
10 prohibited; adding certain entities that are  
11 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.

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

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

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

21 1. Any person being on the public streets, or in the public  
22 parks, or at any other public place during the hours declared by the  
23 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~~ 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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