

1 STATE OF OKLAHOMA

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

3 SENATE BILL 852

By: Bullard

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5
6 AS INTRODUCED

7 An Act relating to militia; creating the Oklahoma
8 State Guard and Militia Revitalization Act of 2025;
9 providing short title; amending 44 O.S. 2021, Section
10 41, which relates to composition of militia;
11 modifying requirements for participation in certain
12 militia; amending 44 O.S. 2021, Section 242, which
13 relates to composition of the Oklahoma State Guard;
14 removing certain limitation on military service;
15 amending 44 O.S. 2021, Section 243, which relates to
16 compensation; broadening allowed conditions for
17 certain compensation; requiring the Governor to make
18 certain appointment; directing the Adjutant General
19 to authorize certain training; providing for certain
20 compensation; establishing certain units within the
21 Oklahoma State Guard; requiring immediate response of
22 certain membership; authorizing requirement for use
23 of privately owned firearms for certain service;
24 establishing requirements for certain firearm;
25 requiring the Adjutant General to promulgate standard
26 for use of firearms in emergency situations;
27 establishing certain responsibilities for county
28 units; providing for funding of county coordinators
29 and county units; requiring development of certain
30 coordination plan; requiring adherence to certain
31 standards; requiring certain notice to registered
32 voters; construing provisions; providing for
33 appointment and approval of interim county
34 coordinators; stating certain powers and duties;
35 requiring provision of certain information; creating
36 certain revolving fund for specified purposes;
37 updating statutory language; providing for
38 noncodification; providing for codification; and
39 providing an effective date.

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

3 SECTION 1. NEW LAW A new section of law not to be
4 codified in the Oklahoma Statutes reads as follows:

5 This act shall be known and may be cited as the "Oklahoma State
6 Guard and Militia Revitalization Act of 2025".

7 SECTION 2. AMENDATORY 44 O.S. 2021, Section 41, is
8 amended to read as follows:

9 Section 41. The Militia of the State of Oklahoma shall consist
10 of all able-bodied citizens of the United States and all other able-
11 bodied persons who are sound of mind, who shall be or shall have
12 declared their intentions to become citizens of the United States,
13 who ~~shall be more than seventeen (17)~~ are at least sixteen (16)
14 ~~years of age and not more than seventy (70) years of age,~~ and said
15 the militia shall be divided into three (3) classes: The National
16 Guard, the Oklahoma State Guard, and the Unorganized Militia;
17 provided, that persons in the Unorganized Militia over seventy (70)
18 years of age and under seventeen (17) years of age shall be exempt
19 from mandatory service.

20 SECTION 3. AMENDATORY 44 O.S. 2021, Section 242, is
21 amended to read as follows:

22 Section 242. Such military forces shall be designated as the
23 "Oklahoma State Guard" and shall be composed of officers
24 commissioned or assigned, and such able-bodied ~~male~~ citizens of the

1 state as shall volunteer for service therein. They shall be
2 additional to and distinct from the National Guard of the State of
3 Oklahoma, as defined in Title 32 of the United States Code. They
4 shall not be required to serve outside the boundaries of ~~the State~~
5 ~~of Oklahoma~~ this state.

6 SECTION 4. AMENDATORY 44 O.S. 2021, Section 243, is
7 amended to read as follows:

8 Section 243. A. The Governor ~~is hereby authorized to~~ shall
9 prescribe rules and regulations governing the enlistment,
10 organization, administration, equipment, discipline and discharge of
11 the personnel of such military forces; to requisition from the
12 Secretary of Defense such arms and equipment as may be in the
13 possession of and can be spared by the Department of Defense and to
14 extend thereto the facilities of state armories, Armed Forces
15 Reserve Centers, readiness centers, logistics, aviation, and
16 training facilities, warehouses and their equipment and such other
17 state premises and property as may be available for the purpose of
18 drill and instruction. Insofar as applicable the procedure for the
19 enlistment, organization, pay, maintenance, equipment and
20 disciplining of such forces shall be in conformity with the law and
21 the rules and regulations governing and pertaining to the National
22 Guard; provided, that the officers and enlisted personnel in the
23 Oklahoma State Guard shall not receive any compensation or monetary
24 allowances from the state except ~~when~~ when:

1 1. When activated for state active duty, as defined in Section
2 801 of this title, by order of the Governor;

3 2. When attending state-mandated training; or

4 3. For Oklahoma State Guard county coordinators or state-level,
5 full-time personnel.

6 B. The Governor shall appoint a Commandant of the Oklahoma
7 State Guard and Unorganized Militia (OSGUM Commandant or
8 "Commandant") to serve within the Military Department of the State
9 of Oklahoma and to report to the Adjutant General (TAG).

10 C. Members of the Oklahoma State Guard shall be considered part
11 of state military forces as defined in Section 801 of this title and
12 shall be subject to the Oklahoma Uniform Code of Military Justice.

13 ~~E.~~ D. When prescribing the rules and regulations governing
14 enlistment, organization, administration, equipment, discipline and
15 discharge of the personnel of the Oklahoma State Guard, the Governor
16 shall issue such rules and regulations in the form of an executive
17 order or in a series of such orders. An executive order or a series
18 of such orders prescribing the rules and regulations governing
19 enlistment, organization, administration, equipment, discipline and
20 discharge of the personnel of the Oklahoma State Guard shall also be
21 published by the Adjutant General as a military publication.

22 E. TAG shall authorize at least four voluntary Multiple Unit
23 Training Assemblies (MUTA) of Inactive Duty for Training (IDT) per
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1 month and fifteen (15) days of annual training. Personnel shall be
2 compensated by the state for attending such trainings.

3 SECTION 5. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 251.1 of Title 44, unless there
5 is created a duplication in numbering, reads as follows:

6 A. A unit of the Oklahoma State Guard (OSG) shall be
7 established in each county of this state that shall operate under
8 and report to a county coordinator. Members of each county unit of
9 the Oklahoma State Guard and of the Unorganized Militia shall be
10 able to immediately respond, if called into service, fully equipped
11 for infantry or other service within this state.

12 B. Privately owned semiautomatic firearms may be required for
13 service for the Oklahoma State Guard or the Unorganized Militia if
14 such firearms are ordered or mustered for service. Any such firearm
15 shall be similar to firearms issued by the military forces of the
16 United States, the National Guard, or the military or police forces
17 of this state, pursuant to regulation developed by the Military
18 Department of the State of Oklahoma. Such firearms shall:

19 1. Be capable of accepting a standard capacity magazine of
20 greater than ten rounds; and

21 2. Contain ergonomic features including, but not limited to,
22 any or all of the following:

23 a. a pistol grip below the action,

24 b. an adjustable buttstock,

- c. a threaded barrel capable of accepting a muzzle device designed to reduce or eliminate harmful noise or flash signature,
- d. a lug capable of accepting a bayonet or other accessories, or
- e. a protective shroud or handguard partially or fully encircling the barrel to prevent barrel heat injury to the user.

C. Notwithstanding the requirements set forth in subsection B of this section, the Adjutant General (TAG) shall promulgate an additional standard for emergency situations that shall authorize the use of any safe and operable semiautomatic or other rifle, pistol, or shotgun that is in common use by military or police forces.

D. Under orders promulgated by the Governor and the Adjutant General (TAG), each county coordinator of the Oklahoma State Guard shall ensure the equipping, training, and readiness to the extent permitted by local county volunteer staffing and interest, and for the training and readiness of volunteers drawn from the Unorganized Militia of this state.

E. 1. The State of Oklahoma shall fund:

- a. the position of the county coordinator, and
- b. the county OSG unit when activated for state active duty, as defined in Section 801 of Title 44 of the

1 Oklahoma Statutes, by order of the Governor, or when
2 called to mandatory training.

3 2. Counties and citizen groups may voluntarily fund personnel,
4 training, equipment, vehicles, and logistics for their respective
5 county OSG units in coordination with the Military Department of the
6 State of Oklahoma, but such OSG units shall remain under the command
7 of the Department when ordered to service, and any such use of
8 voluntary funding shall be consistent with orders and regulations of
9 the Governor pursuant to Section 243 of Title 44 of the Oklahoma
10 Statutes.

11 F. The Military Department of the State of Oklahoma shall
12 develop a plan of coordination with county sheriffs and the county's
13 respective OSG unit for emergency management.

14 G. County OSG units shall adhere to the uniform and grooming
15 standards set forth in Army Regulations AR 670-1.

16 H. Beginning December 1, 2025, the county election board
17 secretary of each county shall provide every registered voter with
18 notice of the opportunity for service in and contact information for
19 the county OSG unit, and thereafter, upon first-time voter
20 registration.

21 I. Nothing in this section shall be construed to require or
22 permit any scheme of licensing, registration, or list of specific
23 firearms.

1 SECTION 6. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 251.2 of Title 44, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The sheriff of each county in this state shall solicit
5 nominees with prior honorable service in the Armed Forces of the
6 United States or National Guard and who reside within the county, to
7 serve as the interim Oklahoma State Guard (OSG) county coordinator
8 for that county. Any person desiring to serve shall provide to the
9 sheriff for the county of desired service his or her Certificate of
10 Release or Discharge from Active Duty (Form DD 214) or National
11 Guard Report of Separation and Record of Service (NGB Form 22) and
12 most recent evaluation report prior to the expiration of his or her
13 term of service.

14 B. No later than November 30, 2025, the sheriff of each county
15 in this state shall appoint an interim county coordinator. The
16 appointment must be approved by a majority vote of the board of
17 county commissioners.

18 C. The county coordinator shall have the power and duty to
19 initiate the administration of the county unit of the Oklahoma State
20 Guard and Unorganized Militia (OSGUM). The county coordinator shall
21 report to the OSGUM Commandant and to the Adjutant General (TAG),
22 and such intermediary officers as TAG shall appoint, for ensuring
23 the readiness of the OSG county unit and training opportunities for
24 the Unorganized Militia within the county.

1 D. No later than January 30, 2026, and by March 1 of every year
2 thereafter, the Oklahoma National Guard shall provide to county
3 coordinators a list of persons retired or honorably discharged from
4 the service of the United States or from the National Guard within
5 the last forty-eight (48) months, who reside within the county.

6 SECTION 7. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 251.3 of Title 44, unless there
8 is created a duplication in numbering, reads as follows:

9 There is hereby created in the State Treasury a revolving fund
10 for the Military Department of the State of Oklahoma to be
11 designated the "Oklahoma State Guard Revolving Fund". The fund
12 shall be a continuing fund, not subject to fiscal year limitations,
13 and shall consist of all monies received by the Department from
14 appropriations, grants, or private donations provided for the
15 purposes stated in this section. All monies accruing to the credit
16 of the fund are hereby appropriated and may be budgeted and expended
17 by the Department for the following purposes:

- 18 1. Funding the positions of Oklahoma State Guard county
19 coordinators; and
- 20 2. Making grants to county coordinators to be used for training
21 of personnel and purchasing of ammunition, weaponry, and other
22 necessary equipment.

23 Expenditures from the fund shall be made upon warrants issued by
24 the State Treasurer against claims filed as prescribed by law with

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the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 8. This act shall become effective November 1, 2025.

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