

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 HOUSE BILL 1002

By: Olsen and **Miller** of the
House

5 and

6 **Scott** of the Senate

7 AS INTRODUCED

8 An Act relating to firearms; amending 21 O.S. 2011,
9 Section 1276, as amended by Section 5, Chapter 259,
10 O.S.L. 2012 (21 O.S. Supp. 2018, Section 1276), which
11 relates to penalties for carrying firearms; reducing
12 penalty for unlawfully carrying firearm; providing
13 separate penalty for certain firearm violation;
14 deleting penalty that suspends license of handgun
15 licensee; and providing an effective date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1276, as
19 amended by Section 5, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2018,
20 Section 1276), is amended to read as follows:

21 Section 1276.

22 PENALTY FOR 1272 AND 1273

23 A. Any person violating the provisions of Section 1272 ~~or 1273~~
24 of this title shall, upon a first conviction, be ~~adjudged~~ guilty of

1 a misdemeanor and ~~the party offending~~ shall be punished by a fine of
2 not less than One Hundred Dollars (\$100.00) nor more than Two
3 Hundred Fifty Dollars (\$250.00), ~~or by imprisonment in the county~~
4 ~~jail for a period not to exceed thirty (30) days or both such fine~~
5 ~~and imprisonment.~~ On the second and every subsequent violation, the
6 ~~party offending~~ person shall, upon conviction, be punished by a fine
7 of not less than Two Hundred Fifty Dollars (\$250.00) nor more than
8 Five Hundred Dollars (\$500.00), ~~or by imprisonment in the county~~
9 ~~jail for a period not less than thirty (30) days nor more than three~~
10 ~~(3) months, or by both such fine and imprisonment.~~

11 B. Any person ~~convicted of~~ violating the provisions of Section
12 ~~1272 or 1273 of this title after having been issued a handgun~~
13 ~~license pursuant to the provisions of the Oklahoma Self-Defense Act~~
14 ~~shall have the license suspended for a period of six (6) months and~~
15 ~~shall be liable for an administrative fine of Fifty Dollars (\$50.00)~~
16 ~~upon a hearing and determination by the Oklahoma State Bureau of~~
17 ~~Investigation that the person is in violation of the provisions of~~
18 ~~this section~~ shall, upon a first conviction, be guilty of a
19 misdemeanor and shall be punished by a fine of not less than One
20 Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars
21 (\$250.00), or by imprisonment in the county jail for a period not to
22 exceed thirty (30) days, or by both such fine and imprisonment. On
23 the second and every subsequent violation, the person shall, upon
24 conviction, be punished by a fine of not less than Two Hundred Fifty

1 Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00), or
2 by imprisonment in the county jail for a period of not less than
3 thirty (30) days nor more than ninety (90) days, or by both such
4 fine and imprisonment.

5 SECTION 2. This act shall become effective November 1, 2019.

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7 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/20/2019 - DO
8 PASS, As Coauthored.

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