

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 186, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Bullard

Bullard-BG-FS-Req#1950
3/2/2021 5:55 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 186

By: Bullard, Hamilton, Stephens
and Bergstrom of the Senate

6 and

7 Roberts (Sean) and McDugle
8 of the House

9
10 FLOOR SUBSTITUTE

11 An Act relating to firearms; amending 21 O.S. 2011,
12 Section 1283, as last amended by Section 3, Chapter
13 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1283),
14 which relates to convicted felons and delinquents;
15 modifying allowable carry; restoring certain rights
16 to carry; prohibiting certain carry for persons
17 serving probation; removing certain revocation;
18 modifying definitions; and providing an effective
19 date.

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

21 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1283, as
22 last amended by Section 3, Chapter 1, O.S.L. 2019 (21 O.S. Supp.
23 2020, Section 1283), is amended to read as follows:

24 Section 1283.

CONVICTED FELONS AND DELINQUENTS

1 A. Except as provided in subsection B of this section, it shall
2 be unlawful for any person convicted of any felony in any court of
3 this state or of another state, tribal court or court of the United
4 States, to have in his or her possession or under his or her
5 immediate control, ~~or in any vehicle which the person is operating,~~
6 ~~or in which the person is riding as a passenger,~~ or at the residence
7 where the convicted person resides, any pistol, imitation or
8 homemade pistol, altered air or toy pistol, machine gun, sawed-off
9 shotgun or sawed-off rifle, or any other ~~dangerous or deadly~~
10 firearm.

11 B. Any person who has previously been convicted of a nonviolent
12 felony in any court of this state or of another state, a tribal
13 court or court of the United States, ~~and who has received a full and~~
14 ~~complete pardon from the proper authority~~ and has not been convicted
15 of any other misdemeanor or felony offense ~~which has not been~~
16 ~~pardoned~~ for a period of five (5) years since the completion of the
17 sentence for the last misdemeanor or felony offense and no felony
18 and misdemeanor charges are pending against the person, shall have
19 restored the right to possess, carry or transport any non-semi-
20 automatic firearm ~~or other weapon prohibited by subsection A of this~~
21 ~~section, the right to.~~ The nonviolent felon may apply for and carry
22 a handgun, concealed or unconcealed, pursuant to the provisions of
23 the Oklahoma Self-Defense Act or as otherwise permitted by law, and
24

1 have the right to perform the duties of a ~~peace officer~~, gunsmith,
2 and ~~for firearms repair~~ all other duties requiring gun rights.

3 C. It shall be unlawful for any person serving a term of
4 probation for any violent felony in any court of this state or of
5 another state, a tribal court or court of the United States or under
6 the jurisdiction of any alternative court program to have in his or
7 her possession or under his or her immediate control, or at his or
8 her residence, or in any passenger vehicle which the person is
9 operating ~~or is riding as a passenger~~, any pistol, sawed-off shotgun
10 or sawed-off rifle, including any imitation or homemade pistol,
11 altered air or toy pistol, toy shotgun or toy rifle, while such
12 person is subject to supervision, probation, parole or inmate
13 status.

14 D. It shall be unlawful for any person previously adjudicated
15 as a delinquent child or a youthful offender for the commission of
16 an offense, which would have constituted a felony offense if
17 committed by an adult, to have in the possession of the person or
18 under the immediate control of the person, or have in any vehicle
19 which he or she is driving ~~or in which the person is riding as a~~
20 ~~passenger, or at the residence of the person~~, any pistol, imitation
21 or homemade pistol, altered air or toy pistol, machine gun, sawed-
22 off shotgun or rifle, or any other dangerous or deadly firearm
23 within ten (10) years after such adjudication; provided, that
24 nothing in this subsection shall be construed to prohibit the

1 placement of the person in a home with a full-time duly appointed
2 peace officer who is certified by the Council on Law Enforcement
3 Education and Training (CLEET) pursuant to the provisions of Section
4 3311 of Title 70 of the Oklahoma Statutes.

5 E. It shall be unlawful for any person who is an alien
6 illegally or unlawfully in the United States to have in the
7 possession of the person or under the immediate control of the
8 person, or in any vehicle the person is operating, or at the
9 residence where the person resides, any pistol, imitation or
10 homemade pistol, altered air or toy pistol, shotgun, rifle or any
11 other dangerous or deadly firearm; provided, that nothing in this
12 subsection applies to prohibit the transport or detention of the
13 person by law enforcement officers or federal immigration
14 authorities. Any person who violates the provisions of this
15 subsection shall, upon conviction, be guilty of a misdemeanor
16 punishable by a fine of Two Hundred Fifty Dollars (\$250.00).

17 F. Any person ~~having been issued a handgun license pursuant to~~
18 ~~the provisions of the Oklahoma Self-Defense Act and who thereafter~~
19 knowingly or intentionally allows a convicted felon or adjudicated
20 delinquent or a youthful offender as prohibited by the provisions of
21 subsection A, C~~7~~ or D of this section to possess or have control of
22 any ~~pistol authorized by the Oklahoma Self-Defense Act~~ firearm
23 shall, upon conviction, be guilty of a felony punishable by a fine
24 not to exceed Five Thousand Dollars (\$5,000.00). ~~In addition, the~~

1 ~~person shall have the handgun license revoked by the Oklahoma State~~
2 ~~Bureau of Investigation after a hearing and determination that the~~
3 ~~person has violated the provisions of this section.~~

4 G. Any convicted or adjudicated person violating the provisions
5 of this section shall, upon conviction, be guilty of a felony
6 punishable as provided in Section 1284 of this title.

7 H. For purposes of this section, "sawed-off shotgun" or "sawed-
8 off rifle" shall mean any shotgun or rifle in which ~~has~~ the barrel
9 or barrels have been illegally shortened ~~to any~~ in length.

10 I. For purposes of this section, "altered toy pistol" shall
11 mean any toy weapon which has been altered from its original
12 manufactured state to ~~resemble a real weapon~~ be more dangerous or
13 powerful than the original design.

14 J. For purposes of this section, "altered air pistol" shall
15 mean any air pistol manufactured to propel projectiles by air
16 pressure which has been altered from its original manufactured
17 state.

18 K. For purposes of this section, "alternative court program"
19 shall mean any drug court, Anna McBride or mental health court, DUI
20 court or veterans court.

21 SECTION 2. This act shall become effective November 1, 2021.

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23 58-1-1950 BG 3/2/2021 5:55:51 PM
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