

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

HOUSE BILL 1898

By: Roberts (Sean)

AS INTRODUCED

An Act relating to firearms; creating the Oklahoma Self-Defense Act of 2021; amending Section 1, Chapter 355, O.S.L. 2019 (11 O.S. Supp. 2020, Section 22-139), which relates to designating certain municipal personnel to attend armed security guard training; deleting named act and adding statutory references; amending 19 O.S. 2011, Section 514.3, which relates to fingerprinting fees; deleting named act and adding statutory references; amending 21 O.S. 2011, Sections 1272, as last amended by Section 1, Chapter 1, O.S.L. 2019, 1272.1, as amended by Section 2, Chapter 259, O.S.L. 2012, 1272.2, as amended by Section 3, Chapter 259, O.S.L. 2012, 1273, as last amended by Section 1, Chapter 193, O.S.L. 2014, 1276, as amended by Section 5, Chapter 259, O.S.L. 2012, 1277, as last amended by Section 1, Chapter 235, O.S.L. 2019, 1278, as amended by Section 7, Chapter 259, O.S.L. 2012, 1279, as amended by Section 1, Chapter 171, O.S.L. 2013, 1280, 1280.1, as last amended by Section 2, Chapter 310, O.S.L. 2015, 1283, as last amended by Section 3, Chapter 1, O.S.L. 2019 and 1287, as amended by Section 10, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020, Sections 1272, 1272.1, 1272.2, 1273, 1276, 1277, 1278, 1279, 1280.1, 1283 and 1287), which relate to the carrying of firearms and penalties related thereto; deleting named act and adding statutory references; updating statutory references; amending 21 O.S. 2011, Sections 1289.2, 1289.3, as last amended by Section 1, Chapter 63, O.S.L. 2019, 1289.4, 1289.5, as amended by Section 2, Chapter 63, O.S.L. 2019, 1289.6, as last amended by Section 4, Chapter 1, O.S.L. 2019, 1289.7, as last amended by Section 5, Chapter 1, O.S.L. 2019, 1289.9, as amended by Section 14, Chapter 259, O.S.L. 2012, 1289.10, as amended by Section 15, Chapter 259, O.S.L. 2012, 1289.11, as amended by Section 16, Chapter 259, O.S.L. 2012, 1289.12, as amended by Section 17,

Chapter 259, O.S.L. 2012, 1289.13, as last amended by Section 6, Chapter 1, O.S.L. 2019, 1289.13A, as last amended by Section 7, Chapter 1, O.S.L. 2019, 1289.16, as last amended by Section 1, Chapter 266, O.S.L. 2017, 1289.18, as amended by Section 3, Chapter 63, O.S.L. 2019, 1289.23, as last amended by Section 1, Chapter 406, O.S.L. 2019, 1289.24, as last amended by Section 8, Chapter 1, O.S.L. 2019 and 1289.25, as last amended by Section 1, Chapter 218, O.S.L. 2018 (21 O.S. Supp. 2020, Sections 1289.3, 1289.5, 1289.6, 1289.7, 1289.9, 1289.10, 1289.11, 1289.12, 1289.13, 1289.13A, 1289.16, 1289.18, 1289.23, 1289.24 and 1289.25), which relate to the Oklahoma Firearms Act of 1971; deleting named act and adding statutory references; amending 21 O.S. 2011, Sections 1290.2, as last amended by Section 4, Chapter 63, O.S.L. 2019, 1290.3, as amended by Section 24, Chapter 259, O.S.L. 2012, 1290.4, as amended by Section 25, Chapter 259, O.S.L. 2012, 1290.5, as last amended by Section 3, Chapter 406, O.S.L. 2019, 1290.6, as amended by Section 27, Chapter 259, O.S.L. 2012, 1290.7, as last amended by Section 10, Chapter 1, O.S.L. 2019, 1290.8, as last amended by Section 4, Chapter 406, O.S.L. 2019, 1290.9, as last amended by Section 1, Chapter 423, O.S.L. 2019, 1290.10, as last amended by Section 5, Chapter 406, O.S.L. 2019, 1290.11, as last amended by Section 6, Chapter 406, O.S.L. 2019, 1290.12, as last amended by Section 7, Chapter 406, O.S.L. 2019, 1290.13, as last amended by Section 1, Chapter 161, O.S.L. 2014, 1290.14, as last amended by Section 2, Chapter 207, O.S.L. 2015, 1290.15, as last amended by Section 3, Chapter 298, O.S.L. 2017, 1290.17, as amended by Section 36, Chapter 259, O.S.L. 2012, 1290.18, as last amended by Section 1, Chapter 200, O.S.L. 2015, 1290.19, as amended by Section 38, Chapter 259, O.S.L. 2012, 1290.20, as amended by Section 39, Chapter 259, O.S.L. 2012, 1290.21, as last amended by Section 6, Chapter 366, O.S.L. 2013, 1290.22, as last amended by Section 12, Chapter 1, O.S.L. 2019, 1290.23, as amended by Section 41, Chapter 259, O.S.L. 2012, 1290.24, as last amended by Section 13, Chapter 1, O.S.L. 2019, 1290.25, as amended by Section 43, Chapter 259, O.S.L. 2012 and 1290.26, as last amended by Section 4, Chapter 298, O.S.L. 2017 (21 O.S. Supp. 2020, Sections 1290.2, 1290.3, 1290.4, 1290.5, 1290.6, 1290.7, 1290.8,

1 1290.9, 1290.10, 1290.11, 1290.12, 1290.13, 1290.14,  
2 1290.15, 1290.17, 1290.18, 1290.19, 1290.20, 1290.21,  
3 1290.22, 1290.23, 1290.24, 1290.25 and 1290.26),  
4 which relate to the Oklahoma Self-Defense Act;  
5 deleting named act and adding statutory references;  
6 clarifying certain application process and  
7 reciprocity provision; amending 21 O.S. 2011, Section  
8 1364, as amended by Section 45, Chapter 259, O.S.L.  
9 2012 (21 O.S. Supp. 2020, Section 1364), which  
10 relates to discharging firearms; deleting named act  
11 and adding statutory references; amending 21 O.S.  
12 2011, Section 1902, as amended by Section 1, Chapter  
13 314, O.S.L. 2017 (21 O.S. Supp. 2020, Section 1902),  
14 which relates to the Bus Passenger Safety Act;  
15 deleting named act and adding statutory references;  
16 amending 57 O.S. 2011, Section 21, as last amended by  
17 Section 2, Chapter 226, O.S.L. 2015 (57 O.S. Supp.  
18 2020, Section 21), which relates to penalties for  
19 bringing contraband into jails or penal institutions;  
20 updating statutory references; deleting named act and  
21 adding statutory references; amending Section 3,  
22 Chapter 407, O.S.L. 2013, as amended by Section 2,  
23 Chapter 373, O.S.L. 2014 (59 O.S. Supp. 2020, Section  
24 1350.2), which relates to the Bail Enforcement and  
Licensing Act; deleting named act and adding  
statutory references; amending 63 O.S. 2011, Section  
2-110, as amended by Section 46, Chapter 259, O.S.L.  
2012 (63 O.S. Supp. 2020, Section 2-110), which  
relates to the Uniform Controlled Dangerous  
Substances Act; deleting named act and adding  
statutory references; amending 63 O.S. 2011, Section  
4210.3, as amended by Section 47, Chapter 259, O.S.L.  
2012 (63 O.S. Supp. 2020, Section 4210.3), which  
relates to the Oklahoma Boating Safety Regulation  
Act; deleting named act and adding statutory  
references; amending Section 3, Chapter 310, O.S.L.  
2015 (70 O.S. Supp. 2020, Section 5-149.2), which  
relates to firearms training for certain school  
personnel; deleting named act and adding statutory  
references; repealing 21 O.S. 2011, Sections 1289.1  
and 1290.1, as last amended by Section 2, Chapter  
406, O.S.L. 2019 (21 O.S. Supp. 2020, Section  
1290.1), which relate to the short titles of the  
Oklahoma Firearms Act of 1971 and Oklahoma Self-  
Defense Act; providing for codification; and  
providing an effective date.

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

2 SECTION 1. NEW LAW A new section of law to be codified  
3 in the Oklahoma Statutes as Section 1270 of Title 21, unless there  
4 is created a duplication in numbering, reads as follows:  
5

6 Sections 1270 through 1290.27 of Title 21 of the Oklahoma  
7 Statutes shall be known and may be cited as the "Oklahoma Self-  
8 Defense Act of 2021".

9 SECTION 2. AMENDATORY Section 1, Chapter 355, O.S.L.  
10 2019 (11 O.S. Supp. 2020, Section 22-139), is amended to read as  
11 follows:

12 Section 22-139. A. The city council or board of trustees for a  
13 city or municipality may, through a majority vote of the council or  
14 board, designate city or municipality personnel who have been issued  
15 a handgun license pursuant to ~~the Oklahoma Self-Defense Act~~ Sections  
16 1290.2 through 1290.27 of Title 21 of the Oklahoma Statutes to  
17 attend an armed security guard training program, as provided for in  
18 Section 1750.5 of Title 59 of the Oklahoma Statutes, or a reserve  
19 peace officer certification program, as provided for in Section 3311  
20 of Title 70 of the Oklahoma Statutes, provided and developed by the  
21 Council on Law Enforcement Education and Training (CLEET). Nothing  
22 in this section shall be construed to prohibit or limit the city  
23 council or board of trustees of a city or municipality from  
24 requiring ongoing education and training.

1 B. Participation in either the armed security guard training  
2 program or the reserve peace officer certification program shall be  
3 voluntary and shall not in any way be considered a requirement for  
4 continued employment with the city or municipality. The city  
5 council or board of trustees of a city or municipality shall have  
6 the final authority to determine and designate personnel who will be  
7 authorized to obtain and use an armed security guard license or  
8 reserve peace officer certification in conjunction with their  
9 employment as city or municipality personnel.

10 C. The city council or board of trustees of a city or  
11 municipality that authorizes personnel to participate in either the  
12 armed security guard program or the reserve peace officer program  
13 may pay all necessary training, meal and lodging expenses associated  
14 with the training.

15 D. When carrying a firearm pursuant to this act, the person  
16 shall at all times carry the firearm on his or her person or the  
17 firearm shall be stored in a locked and secure location.

18 E. Any city or municipality personnel who have successfully  
19 completed either training and while acting in a reasonable and  
20 prudent manner shall be immune from civil and criminal liability for  
21 any injury resulting from the carrying of a handgun onto city or  
22 municipality property as provided in this act. Any municipality,  
23 city council, board of trustees or participating local law  
24 enforcement agency shall be immune from civil and criminal liability

1 for any injury resulting from any act committed by the city or  
2 municipality personnel who are designated to carry a concealed  
3 handgun on public city or municipality property pursuant to the  
4 provisions of this act.

5 F. In order to carry out the provisions of this section, the  
6 city council or board of trustees of a city or municipality is  
7 authorized to enter into a memorandum of understanding with local  
8 law enforcement entities.

9 SECTION 3. AMENDATORY 19 O.S. 2011, Section 514.3, is  
10 amended to read as follows:

11 Section 514.3 The sheriff may charge Five Dollars (\$5.00) per  
12 card for fingerprinting individuals. This section shall not be  
13 applicable to fingerprinting individuals pursuant to the ~~Oklahoma~~  
14 ~~Self-Defense Act~~ handgun license application procedures provided for  
15 in Section 1290.12 of Title 21 of the Oklahoma Statutes. All fees  
16 collected pursuant to this section shall be deposited into the  
17 Sheriff's Service Fee Account.

18 SECTION 4. AMENDATORY 21 O.S. 2011, Section 1272, as  
19 last amended by Section 1, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
20 2020, Section 1272), is amended to read as follows:

21 Section 1272.

22 UNLAWFUL CARRY

23 A. Notwithstanding any other provision of law, it shall be  
24 unlawful for any person to carry upon or about his or her person, or

1 in a purse or other container belonging to the person, any pistol,  
2 revolver, shotgun or rifle whether loaded or unloaded or any  
3 blackjack, loaded cane, hand chain, metal knuckles, or any other  
4 offensive weapon, whether such weapon be concealed or unconcealed,  
5 except this section shall not prohibit:

6 1. The proper use of guns and knives for self-defense, hunting,  
7 fishing, educational or recreational purposes;

8 2. The carrying or use of weapons in a manner otherwise  
9 permitted by statute or authorized by ~~the Oklahoma Self-Defense Act~~  
10 Sections 1290.2 through 1290.27 of this title;

11 3. The carrying, possession and use of any weapon by a peace  
12 officer or other person authorized by law to carry a weapon in the  
13 performance of official duties and in compliance with the rules of  
14 the employing agency;

15 4. The carrying or use of weapons in a courthouse by a district  
16 judge, associate district judge or special district judge within  
17 this state, who is in possession of a valid handgun license issued  
18 pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~ Sections  
19 1290.2 through 1290.27 of this title and whose name appears on a  
20 list maintained by the Administrative Director of the Courts;

21 5. The carrying and use of firearms and other weapons provided  
22 in this subsection when used for the purpose of living history  
23 reenactment. For purposes of this paragraph, "living history  
24 reenactment" means depiction of historical characters, scenes,

1 historical life or events for entertainment, education, or  
2 historical documentation through the wearing or use of period,  
3 historical, antique or vintage clothing, accessories, firearms,  
4 weapons, and other implements of the historical period; or

5 6. The carrying of a firearm, concealed or unconcealed, loaded  
6 or unloaded, by a person who is twenty-one (21) years of age or  
7 older or by a person who is eighteen (18) years of age but not yet  
8 twenty-one (21) years of age and the person is a member or veteran  
9 of the United States Armed Forces, Reserves or National Guard or was  
10 discharged under honorable conditions from the United States Armed  
11 Forces, Reserves or National Guard, and the person is otherwise not  
12 disqualified from the possession or purchase of a firearm under  
13 state or federal law and is not carrying the firearm in furtherance  
14 of a crime.

15 Except as provided in subsection B of Section 1283 of this  
16 title, a person who has been convicted of any one of the following  
17 offenses in this state or a violation of the equivalent law of  
18 another state:

- 19 a. assault and battery pursuant to the provisions of  
20 Section 644 of this title which caused serious  
21 physical injury to the victim,  
22 b. aggravated assault and battery pursuant to the  
23 provisions of Section 646 of this title,  
24



- c. assault and battery that qualifies as domestic abuse as defined in Section 644 of this title,
- d. stalking pursuant to the provisions of Section 1173 of this title,
- e. a violation of an order issued under the Protection from Domestic Abuse Act or a domestic abuse protection order issued by another state, or
- f. a violation relating to illegal drug use or possession under the provisions of the Uniform Controlled Dangerous Substances Act,

shall be prohibited from carrying a firearm under the provisions of this paragraph. Any person who carries a firearm in the manner provided for in this paragraph shall be prohibited from carrying the firearm into any of the places prohibited in subsection A of Section 1277 of this title or any other place currently prohibited by law. Nothing in this section shall modify or otherwise change where a person may legally carry a firearm.

B. Any person convicted of violating the foregoing provision shall be guilty of a misdemeanor punishable as provided in Section 1276 of this title.

SECTION 5. AMENDATORY 21 O.S. 2011, Section 1272.1, as amended by Section 2, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020, Section 1272.1), is amended to read as follows:

Section 1272.1

1 CARRYING FIREARMS WHERE LIQUOR IS CONSUMED

2 A. It shall be unlawful for any person to carry or possess any  
3 weapon designated in Section 1272 of this title in any establishment  
4 where low-point beer, as defined by Section ~~163.2~~ 1-103 of Title ~~37~~  
5 37A of the Oklahoma Statutes, or alcoholic beverages, as defined by  
6 Section ~~506~~ 1-103 of Title ~~37~~ 37A of the Oklahoma Statutes, are  
7 consumed. This provision shall not apply to a peace officer, as  
8 defined in Section 99 of this title, or to private investigators  
9 with a firearms authorization when acting in the scope and course of  
10 employment, and shall not apply to an owner or proprietor of the  
11 establishment having a pistol, rifle, or shotgun on the premises.  
12 Provided, however, a person possessing a valid handgun license  
13 pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~ Sections  
14 1290.2 through 1290.27 of this title may carry the concealed or  
15 unconcealed handgun into any restaurant or other establishment  
16 licensed to dispense low-point beer or alcoholic beverages where the  
17 sale of low-point beer or alcoholic beverages does not constitute  
18 the primary purpose of the business.

19 Provided further, nothing in this section shall be interpreted  
20 to authorize any peace officer in actual physical possession of a  
21 weapon to consume low-point beer or alcoholic beverages, except in  
22 the authorized line of duty as an undercover officer.

23 Nothing in this section shall be interpreted to authorize any  
24 private investigator with a firearms authorization in actual

1 physical possession of a weapon to consume low-point beer or  
2 alcoholic beverages in any establishment where low-point beer or  
3 alcoholic beverages are consumed.

4 B. Any person violating the provisions of this section shall be  
5 punished as provided in Section 1272.2 of this title.

6 SECTION 6. AMENDATORY 21 O.S. 2011, Section 1272.2, as  
7 amended by Section 3, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
8 Section 1272.2), is amended to read as follows:

9 Section 1272.2

10 PENALTY FOR FIREARM IN LIQUOR ESTABLISHMENT

11 Any person who intentionally or knowingly carries on his or her  
12 person any weapon in violation of Section 1272.1 of this title,  
13 shall, upon conviction, be guilty of a felony punishable by a fine  
14 not to exceed One Thousand Dollars (\$1,000.00), or imprisonment in  
15 the custody of the Department of Corrections for a period not to  
16 exceed two (2) years, or by both such fine and imprisonment.

17 Any person convicted of violating the provisions of this section  
18 after having been issued a handgun license pursuant to the  
19 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
20 1290.27 of this title shall have the license revoked by the Oklahoma  
21 State Bureau of Investigation after a hearing and determination that  
22 the person is in violation of Section 1272.1 of this title.

23

24

1 SECTION 7. AMENDATORY 21 O.S. 2011, Section 1273, as  
2 last amended by Section 1, Chapter 193, O.S.L. 2014 (21 O.S. Supp.  
3 2020, Section 1273), is amended to read as follows:

4 Section 1273.

5 ALLOWING MINORS TO POSSESS FIREARMS

6 A. It shall be unlawful for any person within this state to  
7 sell or give to any child any of the arms or weapons designated in  
8 Section 1272 of this title; provided, the provisions of this section  
9 shall not prohibit a parent of a child or legal guardian of a child,  
10 or a person acting with the permission of the parent of the child or  
11 legal guardian of the child, from giving the child a firearm for  
12 participation in hunting animals or fowl, hunter safety classes,  
13 education and training in the safe use and handling of firearms,  
14 target shooting, skeet, trap or other sporting events or  
15 competitions, except as provided in subsection B of this section.

16 B. It shall be unlawful for any parent or guardian to  
17 intentionally, knowingly, or recklessly permit his or her child to  
18 possess any of the arms or weapons designated in Section 1272 of  
19 this title, including any firearm, if such parent is aware of a  
20 substantial risk that the child will use the weapon to commit a  
21 criminal offense or if the child has either been adjudicated a  
22 delinquent or has been convicted as an adult for any criminal  
23 offense that contains as an element the threat or use of physical  
24 force against the person of another.

1 C. It shall be unlawful for any child to possess any of the  
2 arms or weapons designated in Section 1272 of this title, except  
3 firearms used for participation in hunting animals or fowl, hunter  
4 safety classes, education and training in the safe use and handling  
5 of firearms, target shooting, skeet, trap or other sporting events  
6 or competitions. Provided, this section shall not authorize the  
7 possession of such weapons by any person who is subject to the  
8 provisions of Section 1283 of this title.

9 D. Any person violating the provisions of this section shall,  
10 upon conviction, be punished as provided in Section 1276 of this  
11 title, and, any child violating the provisions of this section shall  
12 be subject to adjudication as a delinquent. In addition, any person  
13 violating the provisions of subsection A or B of this section shall  
14 be liable for civil damages for any injury or death to any person  
15 and for any damage to property, as provided in Section 10 of Title  
16 23 of the Oklahoma Statutes, resulting from any discharge of a  
17 firearm by the child or use of any other weapon that the person had  
18 given to the child or permitted the child to possess. Any person  
19 convicted of violating the provisions of this section after having  
20 been issued a handgun license pursuant to the provisions of ~~the~~  
21 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
22 title may be liable for an administrative violation as provided in  
23 Section 1276 of this title.

24

1 E. As used in this section, "child" means a person under  
2 eighteen (18) years of age.

3 SECTION 8. AMENDATORY 21 O.S. 2011, Section 1276, as  
4 amended by Section 5, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
5 Section 1276), is amended to read as follows:

6 Section 1276.

7 PENALTY FOR 1272 AND 1273

8 Any person violating the provisions of Section 1272 or 1273 of  
9 this title shall, upon a first conviction, be adjudged guilty of a  
10 misdemeanor and the party offending shall be punished by a fine of  
11 not less than One Hundred Dollars (\$100.00) nor more than Two  
12 Hundred Fifty Dollars (\$250.00), or by imprisonment in the county  
13 jail for a period not to exceed thirty (30) days or both such fine  
14 and imprisonment. On the second and every subsequent violation, the  
15 party offending shall, upon conviction, be punished by a fine of not  
16 less than Two Hundred Fifty Dollars (\$250.00) nor more than Five  
17 Hundred Dollars (\$500.00), or by imprisonment in the county jail for  
18 a period not less than thirty (30) days nor more than three (3)  
19 months, or by both such fine and imprisonment.

20 Any person convicted of violating the provisions of Section 1272  
21 or 1273 of this title after having been issued a handgun license  
22 pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~ Sections  
23 1290.2 through 1290.27 of this title shall have the license  
24 suspended for a period of six (6) months and shall be liable for an

1 administrative fine of Fifty Dollars (\$50.00) upon a hearing and  
2 determination by the Oklahoma State Bureau of Investigation that the  
3 person is in violation of the provisions of this section.

4 SECTION 9. AMENDATORY 21 O.S. 2011, Section 1277, as  
5 last amended by Section 1, Chapter 235, O.S.L. 2019 (21 O.S. Supp.  
6 2020, Section 1277), is amended to read as follows:

7 Section 1277.

8 UNLAWFUL CARRY IN CERTAIN PLACES

9 A. It shall be unlawful for any person, including a person in  
10 possession of a valid handgun license issued pursuant to the  
11 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
12 1290.27 of this title, to carry any concealed or unconcealed handgun  
13 into any of the following places:

14 1. Any structure, building, or office space which is owned or  
15 leased by a city, town, county, state or federal governmental  
16 authority for the purpose of conducting business with the public;

17 2. Any courthouse, courtroom, prison, jail, detention facility  
18 or any facility used to process, hold or house arrested persons,  
19 prisoners or persons alleged delinquent or adjudicated delinquent,  
20 except as provided in Section 21 of Title 57 of the Oklahoma  
21 Statutes;

22 3. Any public or private elementary or public or private  
23 secondary school, except as provided in subsections C and D of this  
24 section;

1 4. Any publicly owned or operated sports arena or venue during  
2 a professional sporting event, unless allowed by the event holder;

3 5. Any place where gambling is authorized by law, unless  
4 allowed by the property owner; and

5 6. Any other place specifically prohibited by law.

6 B. For purposes of subsection A of this section, the prohibited  
7 place does not include and specifically excludes the following  
8 property:

9 1. Any property set aside for the use or parking of any  
10 vehicle, whether attended or unattended, by a city, town, county,  
11 state or federal governmental authority;

12 2. Any property set aside for the use or parking of any  
13 vehicle, whether attended or unattended, which is open to the  
14 public, or by any entity engaged in gambling authorized by law;

15 3. Any property adjacent to a structure, building or office  
16 space in which concealed or unconcealed weapons are prohibited by  
17 the provisions of this section;

18 4. Any property designated by a city, town, county or state  
19 governmental authority as a park, recreational area, wildlife  
20 refuge, wildlife management area or fairgrounds; provided, nothing  
21 in this paragraph shall be construed to authorize any entry by a  
22 person in possession of a concealed or unconcealed firearm into any  
23 structure, building or office space which is specifically prohibited  
24 by the provisions of subsection A of this section; and



1           5. Any property set aside by a public or private elementary or  
2 secondary school for the use or parking of any vehicle, whether  
3 attended or unattended; provided, however, the firearm shall be  
4 stored and hidden from view in a locked motor vehicle when the motor  
5 vehicle is left unattended on school property.

6           Nothing contained in any provision of this subsection or  
7 subsection C of this section shall be construed to authorize or  
8 allow any person in control of any place described in subsection A  
9 of this section to establish any policy or rule that has the effect  
10 of prohibiting any person in lawful possession of a handgun license  
11 or otherwise in lawful possession of a firearm from carrying or  
12 possessing the firearm on the property described in this subsection.

13           C. A concealed or unconcealed weapon may be carried onto  
14 private school property or in any school bus or vehicle used by any  
15 private school for transportation of students or teachers by a  
16 person who is licensed pursuant to ~~the Oklahoma Self-Defense Act~~  
17 Sections 1290.2 through 1290.27 of this title, provided a policy has  
18 been adopted by the governing entity of the private school that  
19 authorizes the carrying and possession of a weapon on private school  
20 property or in any school bus or vehicle used by a private school.  
21 Except for acts of gross negligence or willful or wanton misconduct,  
22 a governing entity of a private school that adopts a policy which  
23 authorizes the possession of a weapon on private school property, a  
24 school bus or vehicle used by the private school shall be immune

1 from liability for any injuries arising from the adoption of the  
2 policy. The provisions of this subsection shall not apply to claims  
3 pursuant to the Administrative Workers' Compensation Act.

4 D. Notwithstanding paragraph 3 of subsection A of this section,  
5 a board of education of a school district may adopt a policy  
6 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to  
7 authorize the carrying of a handgun onto school property by school  
8 personnel specifically designated by the board of education,  
9 provided such personnel either:

10 1. Possess a valid armed security guard license as provided for  
11 in Section 1750.1 et seq. of Title 59 of the Oklahoma Statutes; or

12 2. Hold a valid reserve peace officer certification as provided  
13 for in Section 3311 of Title 70 of the Oklahoma Statutes.

14 Nothing in this subsection shall be construed to restrict authority  
15 granted elsewhere in law to carry firearms.

16 E. In any municipal zoo or park of any size that is owned,  
17 leased, operated or managed by:

18 1. A public trust created pursuant to the provisions of Section  
19 176 of Title 60 of the Oklahoma Statutes; or

20 2. A nonprofit entity,  
21 an individual shall be allowed to carry a concealed handgun but not  
22 openly carry a handgun on the property.

23 F. Any person violating the provisions of paragraph 2 or 3 of  
24 subsection A of this section shall, upon conviction, be guilty of a

1 misdemeanor punishable by a fine not to exceed Two Hundred Fifty  
2 Dollars (\$250.00). A person violating any other provision of  
3 subsection A of this section may be denied entrance onto the  
4 property or removed from the property. If the person refuses to  
5 leave the property and a peace officer is summoned, the person may  
6 be issued a citation for an amount not to exceed Two Hundred Fifty  
7 Dollars (\$250.00).

8 G. No person in possession of a valid handgun license issued  
9 pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~ Sections  
10 1290.2 through 1290.27 of this title or who is carrying or in  
11 possession of a firearm as otherwise permitted by law or who is  
12 carrying or in possession of a machete, blackjack, loaded cane, hand  
13 chain or metal knuckles shall be authorized to carry the firearm,  
14 machete, blackjack, loaded cane, hand chain or metal knuckles into  
15 or upon any college, university or technology center school  
16 property, except as provided in this subsection. For purposes of  
17 this subsection, the following property shall not be construed to be  
18 college, university or technology center school property:

19 1. Any property set aside for the use or parking of any motor  
20 vehicle, whether attended or unattended, provided the firearm,  
21 machete, blackjack, loaded cane, hand chain or metal knuckles are  
22 carried or stored as required by law and the firearm, machete,  
23 blackjack, loaded cane, hand chain or metal knuckles are not removed  
24 from the motor vehicle without the prior consent of the college or

1 university president or technology center school administrator while  
2 the vehicle is on any college, university or technology center  
3 school property;

4 2. Any property authorized for possession or use of firearms,  
5 machetes, blackjacks, loaded canes, hand chains or metal knuckles by  
6 college, university or technology center school policy; and

7 3. Any property authorized by the written consent of the  
8 college or university president or technology center school  
9 administrator, provided the written consent is carried with the  
10 firearm, machete, blackjack, loaded cane, hand chain or metal  
11 knuckles and the valid handgun license while on college, university  
12 or technology center school property.

13 The college, university or technology center school may notify  
14 the Oklahoma State Bureau of Investigation within ten (10) days of a  
15 violation of any provision of this subsection by a licensee. Upon  
16 receipt of a written notification of violation, the Bureau shall  
17 give a reasonable notice to the licensee and hold a hearing. At the  
18 hearing, upon a determination that the licensee has violated any  
19 provision of this subsection, the licensee may be subject to an  
20 administrative fine of Two Hundred Fifty Dollars (\$250.00) and may  
21 have the handgun license suspended for three (3) months.

22 Nothing contained in any provision of this subsection shall be  
23 construed to authorize or allow any college, university or  
24 technology center school to establish any policy or rule that has

1 the effect of prohibiting any person in lawful possession of a  
2 handgun license or any person in lawful possession of a firearm,  
3 machete, blackjack, loaded cane, hand chain or metal knuckles from  
4 possession of a firearm, machete, blackjack, loaded cane, hand chain  
5 or metal knuckles in places described in paragraphs 1, 2 and 3 of  
6 this subsection. Nothing contained in any provision of this  
7 subsection shall be construed to limit the authority of any college,  
8 university or technology center school in this state from taking  
9 administrative action against any student for any violation of any  
10 provision of this subsection.

11 H. The provisions of this section shall not apply to the  
12 following:

13 1. Any peace officer or any person authorized by law to carry a  
14 firearm in the course of employment;

15 2. District judges, associate district judges and special  
16 district judges, who are in possession of a valid handgun license  
17 issued pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~  
18 Sections 1290.2 through 1290.27 of this title and whose names appear  
19 on a list maintained by the Administrative Director of the Courts,  
20 when acting in the course and scope of employment within the  
21 courthouses of this state;

22 3. Private investigators with a firearms authorization when  
23 acting in the course and scope of employment;

24

1           4. Elected officials of a county, who are in possession of a  
2 valid handgun license issued pursuant to the provisions of ~~the~~  
3 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
4 title, may carry a concealed handgun when acting in the performance  
5 of their duties within the courthouses of the county in which he or  
6 she was elected. The provisions of this paragraph shall not allow  
7 the elected county official to carry the handgun into a courtroom;

8           5. The sheriff of any county may authorize certain employees of  
9 the county, who possess a valid handgun license issued pursuant to  
10 the provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2  
11 through 1290.27 of this title, to carry a concealed handgun when  
12 acting in the course and scope of employment within the courthouses  
13 in the county in which the person is employed. Nothing in ~~the~~  
14 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
15 title shall prohibit the sheriff from requiring additional  
16 instruction or training before receiving authorization to carry a  
17 concealed handgun within the courthouse. The provisions of this  
18 paragraph and of paragraph 6 of this subsection shall not allow the  
19 county employee to carry the handgun into a courtroom, sheriff's  
20 office, adult or juvenile jail or any other prisoner detention area;  
21 and

22           6. The board of county commissioners of any county may  
23 authorize certain employees of the county, who possess a valid  
24 handgun license issued pursuant to the provisions of ~~the Oklahoma~~

1 ~~Self-Defense Act~~ Sections 1290.2 through 1290.27 of this title, to  
2 carry a concealed handgun when acting in the course and scope of  
3 employment on county annex facilities or grounds surrounding the  
4 county courthouse.

5 I. For the purposes of this section, "motor vehicle" means any  
6 automobile, truck, minivan, sports utility vehicle, or motorcycle as  
7 defined in Section 1-135 of Title 47 of the Oklahoma Statutes,  
8 equipped with a locked accessory container within or affixed to the  
9 motorcycle.

10 SECTION 10. AMENDATORY 21 O.S. 2011, Section 1278, as  
11 amended by Section 7, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
12 Section 1278), is amended to read as follows:

13 Section 1278.

14 UNLAWFUL INTENT TO CARRY

15 Any person in this state who carries or wears any deadly weapons  
16 or dangerous instrument whatsoever with the intent or for the avowed  
17 purpose of unlawfully injuring another person, upon conviction,  
18 shall be guilty of a felony punishable by a fine not exceeding Five  
19 Thousand Dollars (\$5,000.00), by imprisonment in the custody of the  
20 Department of Corrections for a period not exceeding two (2) years,  
21 or by both such fine and imprisonment. The mere possession of such  
22 a weapon or dangerous instrument, without more, however, shall not  
23 be sufficient to establish intent as required by this section.

24

1 Any person convicted of violating the provisions of this section  
2 after having been issued a handgun license pursuant to the  
3 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
4 1290.27 of this title shall have the license permanently revoked and  
5 shall be liable for an administrative fine of One Thousand Dollars  
6 (\$1,000.00) upon a hearing and determination by the Oklahoma State  
7 Bureau of Investigation that the person is in violation of the  
8 provisions of this section.

9 SECTION 11. AMENDATORY 21 O.S. 2011, Section 1279, as  
10 amended by Section 1, Chapter 171, O.S.L. 2013 (21 O.S. Supp. 2020,  
11 Section 1279), is amended to read as follows:

12 Section 1279.

13 MISDEMEANOR POINTING A FIREARM

14 Except for an act of self-defense, it shall be unlawful for any  
15 person to point any pistol or any other deadly weapon whether loaded  
16 or not, at any other person or persons. Any person violating the  
17 provisions of this section shall, upon conviction, be guilty of a  
18 misdemeanor punishable as provided in Section 1280 of this title.

19 Any person convicted of violating the provisions of this section  
20 after having been issued a handgun license pursuant to the  
21 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
22 1290.27 of this title may be subject to an administrative violation  
23 as provided in Section 1280 of this title.

24



1 SECTION 12. AMENDATORY 21 O.S. 2011, Section 1280, is  
2 amended to read as follows:

3 Section 1280.

4 PENALTY FOR 1279

5 Any person violating the provisions of Section 1279 of this  
6 title, upon conviction, shall be guilty of a misdemeanor. The  
7 person offending shall be punished by a fine of not less than One  
8 Hundred Dollars (\$100.00) nor more than One Thousand Dollars  
9 (\$1,000.00) and shall be imprisoned in the county jail for a period  
10 not less than three (3) nor more than twelve (12) months. Any  
11 person convicted of violating the provisions of Section 1279 of this  
12 title after having been issued a handgun license pursuant to the  
13 provisions of ~~the Oklahoma Self-Defense Act~~, Sections ~~±~~ 1290.2  
14 through ~~25~~ 1290.27 of this ~~act~~, title shall have the handgun license  
15 permanently revoked and shall be liable for an administrative fine  
16 of Fifty Dollars (\$50.00) upon a hearing and determination by the  
17 Oklahoma State Bureau of Investigation that the person is in  
18 violation of the provisions of this section.

19 SECTION 13. AMENDATORY 21 O.S. 2011, Section 1280.1, as  
20 last amended by Section 2, Chapter 310, O.S.L. 2015 (21 O.S. Supp.  
21 2020, Section 1280.1), is amended to read as follows:

22 Section 1280.1

23 POSSESSION OF FIREARM ON SCHOOL PROPERTY

24

1       A. It shall be unlawful for any person to have in his or her  
2 possession on any public or private school property or while in any  
3 school bus or vehicle used by any school for transportation of  
4 students or teachers any firearm or weapon designated in Section  
5 1272 of this title, except as provided in subsection C of this  
6 section or as otherwise authorized by law.

7       B. For purposes of this section:

8       1. "School property" means any publicly owned property held for  
9 purposes of elementary, secondary or vocational-technical education,  
10 and shall not include property owned by public school districts or  
11 where such property is leased or rented to an individual or  
12 corporation and used for purposes other than educational;

13       2. "Private school" means a school that offers a course of  
14 instruction for students in one or more grades from prekindergarten  
15 through grade twelve and is not operated by a governmental entity;  
16 and

17       3. "Motor vehicle" means any automobile, truck, minivan or  
18 sports utility vehicle.

19       C. Firearms and weapons are allowed on school property and  
20 deemed not in violation of subsection A of this section as follows:

21       1. A gun or knife designed for hunting or fishing purposes kept  
22 in a privately owned vehicle and properly displayed or stored as  
23 required by law, provided such vehicle containing said gun or knife  
24 is driven onto school property only to transport a student to and

1 from school and such vehicle does not remain unattended on school  
2 property;

3 2. A gun or knife used for the purposes of participating in the  
4 Oklahoma Department of Wildlife Conservation certified hunter  
5 training education course or any other hunting, fishing, safety or  
6 firearms training courses, or a recognized firearms sports event,  
7 team shooting program or competition, or living history reenactment,  
8 provided the course or event is approved by the principal or chief  
9 administrator of the school where the course or event is offered,  
10 and provided the weapon is properly displayed or stored as required  
11 by law pending participation in the course, event, program or  
12 competition;

13 3. Weapons in the possession of any peace officer or other  
14 person authorized by law to possess a weapon in the performance of  
15 his or her duties and responsibilities;

16 4. A concealed or unconcealed weapon carried onto private  
17 school property or in any school bus or vehicle used by any private  
18 school for transportation of students or teachers by a person who is  
19 licensed pursuant to ~~the Oklahoma Self-Defense Act~~ Sections 1290.2  
20 through 1290.27 of this title, provided a policy has been adopted by  
21 the governing entity of the private school that authorizes the  
22 possession of a weapon on private school property or in any school  
23 bus or vehicle used by a private school. Except for acts of gross  
24 negligence or willful or wanton misconduct, a governing entity of a

1 private school that adopts a policy which authorizes the possession  
2 of a weapon on private school property, a school bus or vehicle used  
3 by the private school shall be immune from liability for any  
4 injuries arising from the adoption of the policy. The provisions of  
5 this paragraph shall not apply to claims pursuant to the Workers'  
6 Compensation Code;

7 5. A gun, knife, bayonet or other weapon in the possession of a  
8 member of a veterans group, the National Guard, active military, the  
9 Reserve Officers' Training Corps (ROTC) or Junior ROTC, in order to  
10 participate in a ceremony, assembly or educational program approved  
11 by the principal or chief administrator of a school or school  
12 district where the ceremony, assembly or educational program is  
13 being held; provided, however, the gun or other weapon that uses  
14 projectiles is not loaded and is inoperable at all times while on  
15 school property;

16 6. A handgun carried in a motor vehicle pursuant to a valid  
17 handgun license authorized by the ~~Oklahoma Self-Defense Act~~  
18 provisions of Sections 1290.2 through 1290.27 of this title onto  
19 property set aside by a public or private elementary or secondary  
20 school for the use or parking of any vehicle; provided, however,  
21 said handgun shall be stored and hidden from view in a locked motor  
22 vehicle when the motor vehicle is left unattended on school  
23 property; and

24

1 7. A handgun carried onto public school property by school  
2 personnel who have been designated by the board of education,  
3 provided such personnel either:

4 a. possess a valid armed security guard license as  
5 provided for in Section 1750.1 et seq. of Title 59 of  
6 the Oklahoma Statutes, or

7 b. hold a valid reserve peace officer certification as  
8 provided for in Section 3311 of Title 70 of the  
9 Oklahoma Statutes,

10 if a policy has been adopted by the board of education of the school  
11 district that authorizes the carrying of a handgun onto public  
12 school property by such personnel. Nothing in this subsection shall  
13 be construed to restrict authority granted elsewhere in law to carry  
14 firearms.

15 D. Any person violating the provisions of this section shall,  
16 upon conviction, be guilty of a misdemeanor punishable by a fine of  
17 not to exceed Two Hundred Fifty Dollars (\$250.00).

18 SECTION 14. AMENDATORY 21 O.S. 2011, Section 1283, as  
19 last amended by Section 3, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
20 2020, Section 1283), is amended to read as follows:

21 Section 1283.

22 CONVICTED FELONS AND DELINQUENTS

23 A. Except as provided in subsection B of this section, it shall  
24 be unlawful for any person convicted of any felony in any court of

1 this state or of another state or of the United States to have in  
2 his or her possession or under his or her immediate control, or in  
3 any vehicle which the person is operating, or in which the person is  
4 riding as a passenger, or at the residence where the convicted  
5 person resides, any pistol, imitation or homemade pistol, altered  
6 air or toy pistol, machine gun, sawed-off shotgun or rifle, or any  
7 other dangerous or deadly firearm.

8 B. Any person who has previously been convicted of a nonviolent  
9 felony in any court of this state or of another state or of the  
10 United States, and who has received a full and complete pardon from  
11 the proper authority and has not been convicted of any other felony  
12 offense which has not been pardoned, shall have restored the right  
13 to possess any firearm or other weapon prohibited by subsection A of  
14 this section, the right to apply for a handgun license and carry a  
15 handgun, concealed or unconcealed, pursuant to the ~~Oklahoma Self-~~  
16 ~~Defense Act~~ provisions of Sections 1290.2 through 1290.27 of this  
17 title or as otherwise permitted by law, and the right to perform the  
18 duties of a peace officer, gunsmith, and for firearms repair.

19 C. It shall be unlawful for any person serving a term of  
20 probation for any felony in any court of this state or of another  
21 state or of the United States or under the jurisdiction of any  
22 alternative court program to have in his or her possession or under  
23 his or her immediate control, or at his or her residence, or in any  
24 passenger vehicle which the person is operating or is riding as a

1 passenger, any pistol, shotgun or rifle, including any imitation or  
2 homemade pistol, altered air or toy pistol, shotgun or rifle, while  
3 such person is subject to supervision, probation, parole or inmate  
4 status.

5 D. It shall be unlawful for any person previously adjudicated  
6 as a delinquent child or a youthful offender for the commission of  
7 an offense, which would have constituted a felony offense if  
8 committed by an adult, to have in the possession of the person or  
9 under the immediate control of the person, or have in any vehicle  
10 which he or she is driving or in which the person is riding as a  
11 passenger, or at the residence of the person, any pistol, imitation  
12 or homemade pistol, altered air or toy pistol, machine gun, sawed-  
13 off shotgun or rifle, or any other dangerous or deadly firearm  
14 within ten (10) years after such adjudication; provided, that  
15 nothing in this subsection shall be construed to prohibit the  
16 placement of the person in a home with a full-time duly appointed  
17 peace officer who is certified by the Council on Law Enforcement  
18 Education and Training (CLEET) pursuant to the provisions of Section  
19 3311 of Title 70 of the Oklahoma Statutes.

20 E. It shall be unlawful for any person who is an alien  
21 illegally or unlawfully in the United States to have in the  
22 possession of the person or under the immediate control of the  
23 person, or in any vehicle the person is operating, or at the  
24 residence where the person resides, any pistol, imitation or

1 homemade pistol, altered air or toy pistol, shotgun, rifle or any  
2 other dangerous or deadly firearm; provided, that nothing in this  
3 subsection applies to prohibit the transport or detention of the  
4 person by law enforcement officers or federal immigration  
5 authorities. Any person who violates the provisions of this  
6 subsection shall, upon conviction, be guilty of a misdemeanor  
7 punishable by a fine of Two Hundred Fifty Dollars (\$250.00).

8 F. Any person having been issued a handgun license pursuant to  
9 the provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2  
10 through 1290.27 of this title and who thereafter knowingly or  
11 intentionally allows a convicted felon or adjudicated delinquent or  
12 a youthful offender as prohibited by the provisions of subsection A,  
13 C, or D of this section to possess or have control of any pistol  
14 authorized by ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
15 1290.27 of this title shall, upon conviction, be guilty of a felony  
16 punishable by a fine not to exceed Five Thousand Dollars  
17 (\$5,000.00). In addition, the person shall have the handgun license  
18 revoked by the Oklahoma State Bureau of Investigation after a  
19 hearing and determination that the person has violated the  
20 provisions of this section.

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

24



1 H. For purposes of this section, "sawed-off shotgun or rifle"  
2 shall mean any shotgun or rifle which has been shortened to any  
3 length.

4 I. For purposes of this section, "altered toy pistol" shall  
5 mean any toy weapon which has been altered from its original  
6 manufactured state to resemble a real weapon.

7 J. For purposes of this section, "altered air pistol" shall  
8 mean any air pistol manufactured to propel projectiles by air  
9 pressure which has been altered from its original manufactured  
10 state.

11 K. For purposes of this section, "alternative court program"  
12 shall mean any drug court, Anna McBride or mental health court, DUI  
13 court or veterans court.

14 SECTION 15. AMENDATORY 21 O.S. 2011, Section 1287, as  
15 amended by Section 10, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
16 Section 1287), is amended to read as follows:

17 Section 1287.

18 USE OF FIREARM WHILE COMMITTING A FELONY

19 A. Any person who, while committing or attempting to commit a  
20 felony, possesses a pistol, shotgun or rifle or any other offensive  
21 weapon in such commission or attempt, whether the pistol, shotgun or  
22 rifle is loaded or not, or who possesses a blank or imitation  
23 pistol, altered air or toy pistol, shotgun or rifle capable of  
24 raising in the mind of one threatened with such device a fear that

1 it is a real pistol, shotgun or rifle, or who possesses an air gun  
2 or carbon dioxide or other gas-filled weapon, electronic dart gun,  
3 conductive energy weapon, knife, dagger, dirk, switchblade knife,  
4 blackjack, ax, loaded cane, billy, hand chain or metal knuckles, in  
5 addition to the penalty provided by statute for the felony committed  
6 or attempted, upon conviction shall be guilty of a felony for  
7 possessing such weapon or device, which shall be a separate offense  
8 from the felony committed or attempted and shall be punishable by  
9 imprisonment in the custody of the Department of Corrections for a  
10 period of not less than two (2) years nor for more than ten (10)  
11 years for the first offense, and for a period of not less than ten  
12 (10) years nor more than thirty (30) years for any second or  
13 subsequent offense.

14 B. Any person convicted of violating the provisions of this  
15 section after having been issued a handgun license pursuant to the  
16 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
17 1290.27 of this title shall have the license permanently revoked and  
18 shall be liable for an administrative fine of One Thousand Dollars  
19 (\$1,000.00) upon a hearing and determination by the Oklahoma State  
20 Bureau of Investigation that the person is in violation of the  
21 provisions of this section.

22 C. As used in this section, "altered toy pistol" shall mean any  
23 toy weapon which has been altered from its original manufactured  
24 state to resemble a real weapon.

1 D. As used in this section, "altered air pistol" shall mean any  
2 air pistol manufactured to propel projectiles by air pressure which  
3 has been altered from its original manufactured state.

4 SECTION 16. AMENDATORY 21 O.S. 2011, Section 1289.2, is  
5 amended to read as follows:

6 Section 1289.2

7 LEGISLATIVE FINDINGS FOR ~~FIREARMS ACT~~ OKLAHOMA SELF-DEFENSE ACT OF  
8 2021

9 The Legislature finds as a matter of public policy and fact that  
10 it is necessary for the safe and lawful use of firearms to curb and  
11 prevent crime wherein weapons are used by enacting legislation  
12 having the purpose of controlling the use of firearms, and of  
13 prevention of their use, without unnecessarily denying their lawful  
14 use in defense of life, home and property, and their use by the  
15 United States or state military organizations and as may otherwise  
16 be provided by law, including their use and transportation for  
17 lawful purposes.

18 SECTION 17. AMENDATORY 21 O.S. 2011, Section 1289.3, as  
19 last amended by Section 1, Chapter 63, O.S.L. 2019 (21 O.S. Supp.  
20 2020, Section 1289.3), is amended to read as follows:

21 Section 1289.3

22 DEFINITIONS FOR ~~FIREARMS ACT~~ OKLAHOMA SELF-DEFENSE ACT OF 2021

23 "Pistols" or "handguns" as used in the ~~Oklahoma Firearms Act of~~  
24 ~~1971 and the Oklahoma Self-Defense Act~~ Oklahoma Self-Defense Act of

1 2021 shall mean any firearm capable of discharging single or  
2 multiple projectiles from a single round of ammunition composed of  
3 any material which may reasonably be expected to be able to cause  
4 lethal injury, with a barrel or barrels less than sixteen (16)  
5 inches in length, and using a combustible propellant charge, but not  
6 to include any firearm with an overall length of twenty-six (26)  
7 inches or more, flare guns, underwater fishing guns or blank  
8 pistols.

9 SECTION 18. AMENDATORY 21 O.S. 2011, Section 1289.4, is  
10 amended to read as follows:

11 Section 1289.4

12 DEFINITIONS FOR ~~FIREARMS ACT~~ OKLAHOMA SELF-DEFENSE ACT OF 2021

13 "Rifles" as used in the ~~Oklahoma Firearms Act of 1971, Sections~~  
14 ~~1289.1 through 1289.17 of this title~~ Oklahoma Self-Defense Act of  
15 2021, shall mean any firearm capable of discharging a projectile  
16 composed of any material which may reasonably be expected to be able  
17 to cause lethal injury, with a barrel or barrels more than sixteen  
18 (16) inches in length, and using either gunpowder, gas or any means  
19 of rocket propulsion, but not to include archery equipment, flare  
20 guns or underwater fishing guns. In addition, any rifle capable of  
21 firing "shot" but primarily designed to fire single projectiles will  
22 be regarded as a "rifle".

23

24

1 SECTION 19. AMENDATORY 21 O.S. 2011, Section 1289.5, as  
2 amended by Section 2, Chapter 63, O.S.L. 2019 (21 O.S. Supp. 2020,  
3 Section 1289.5), is amended to read as follows:

4 Section 1289.5

5 DEFINITIONS FOR ~~FIREARMS ACT~~ OKLAHOMA SELF-DEFENSE ACT OF 2021

6 "Shotguns" as used in the ~~Oklahoma Firearms Act of 1971~~ Oklahoma  
7 Self-Defense Act of 2021, shall mean any firearm capable of  
8 discharging a series of projectiles of any material which may  
9 reasonably be expected to be able to cause lethal injury, with a  
10 barrel or barrels more than eighteen (18) inches in length, and  
11 using a combustible propellant charge, but not to include any weapon  
12 so designed with a barrel less than eighteen (18) inches in length  
13 unless the overall length of the firearm is twenty-six (26) inches  
14 or more. In addition, any "shotgun" capable of firing single  
15 projectiles but primarily designed to fire multiple projectiles such  
16 as "shot" will be regarded as a "shotgun".

17 SECTION 20. AMENDATORY 21 O.S. 2011, Section 1289.6, as  
18 last amended by Section 4, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
19 2020, Section 1289.6), is amended to read as follows:

20 Section 1289.6

21 CONDITIONS UNDER WHICH FIREARMS MAY BE CARRIED

22 A. A person shall be permitted to carry loaded and unloaded  
23 shotguns, rifles and pistols without a handgun license as authorized  
24

1 by ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of  
2 this title pursuant to the following conditions:

3 1. When hunting animals or fowl;

4 2. During competition in or practicing in a safety or hunter  
5 safety class, target shooting, skeet, trap or other recognized  
6 sporting events;

7 3. During participation in or in preparation for a military  
8 function of the state military forces to be defined as the Oklahoma  
9 Army or Air National Guard, federal military reserve and active  
10 military forces. It is further provided that Oklahoma Army or Air  
11 National Guard personnel with proper authorization and performing a  
12 military function may carry loaded or unloaded and concealed weapons  
13 on Oklahoma Military Department facilities in accordance with rules  
14 promulgated by the Adjutant General;

15 4. During participation in or in preparation for a recognized  
16 police function of either a municipal, county or state government as  
17 functioning police officials;

18 5. During a practice for or a performance for entertainment  
19 purposes;

20 6. As provided for in subsection A of Section 1272 of this  
21 title; or

22 7. For lawful self-defense and self-protection or any other  
23 legitimate purpose not in violation of any legislative enactment  
24 regarding the use, carrying, ownership and control of firearms.

1 B. A person shall be permitted to carry unloaded shotguns,  
2 rifles and pistols without a handgun license as authorized by ~~the~~  
3 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
4 title and when going to or from the person's private residence or  
5 vehicle.

6 C. The provisions of this section shall not be construed to  
7 prohibit educational or recreational activities, exhibitions,  
8 displays or shows involving the use or display of rifles, shotguns  
9 or pistols or other weapons if the activity is approved by the  
10 property owner and sponsor of the activity.

11 SECTION 21. AMENDATORY 21 O.S. 2011, Section 1289.7, as  
12 last amended by Section 5, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
13 2020, Section 1289.7), is amended to read as follows:

14 Section 1289.7

15 FIREARMS IN VEHICLES

16 A. Any person who is not otherwise prohibited by law from  
17 possessing a firearm may transport in a motor vehicle a pistol or  
18 handgun, loaded or unloaded, at any time.

19 B. Any person who is not otherwise prohibited by law from  
20 possessing a firearm may transport in a motor vehicle a rifle or  
21 shotgun open or concealed, provided the rifle or shotgun is  
22 transported pursuant to the requirements of Section 1289.13 of this  
23 title.

24

1 C. Any person who is the operator of a motor vehicle or is a  
2 passenger in any motor vehicle wherein another person who is  
3 licensed pursuant to ~~the Oklahoma Self-Defense Act~~ Sections 1290.2  
4 through 1290.27 of this title or is otherwise permitted by law to  
5 carry a handgun, concealed or unconcealed, and is carrying a handgun  
6 or has the handgun in such vehicle, shall not be deemed in violation  
7 of the provisions of this section provided the licensee or person  
8 permitted by law is in or near the motor vehicle.

9 D. It shall be unlawful for any person transporting a firearm  
10 in a motor vehicle to fail or refuse to identify that the person is  
11 in actual possession of a firearm when asked to do so by a law  
12 enforcement officer of this state during any arrest, detainment or  
13 routine traffic stop. Any person who violates the provisions of  
14 this subsection may be issued a citation for an amount not to exceed  
15 One Hundred Dollars (\$100.00).

16 SECTION 22. AMENDATORY 21 O.S. 2011, Section 1289.9, as  
17 amended by Section 14, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
18 Section 1289.9), is amended to read as follows:

19 Section 1289.9

20 CARRYING WEAPONS UNDER INFLUENCE OF ALCOHOL

21 It shall be unlawful for any person to carry or use shotguns,  
22 rifles or pistols in any circumstances while under the influence of  
23 beer, intoxicating liquors or any hallucinogenic, or any unlawful or  
24 unprescribed drug, and it shall be unlawful for any person to carry



1 or use shotguns, rifles or pistols when under the influence of any  
2 drug prescribed by a licensed physician if the aftereffects of such  
3 consumption affect mental, emotional or physical processes to a  
4 degree that would result in abnormal behavior. Any person convicted  
5 of a violation of the provisions of this section shall be punished  
6 as provided in Section 1289.15 of this title.

7 Any person convicted of a violation of the provisions of this  
8 section after having been issued a handgun license pursuant to the  
9 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
10 1290.27 of this title shall have the license suspended for a term of  
11 six (6) months and shall be subject to an administrative fine of  
12 Fifty Dollars (\$50.00), upon a hearing and determination by the  
13 Oklahoma State Bureau of Investigation that the person is in  
14 violation of the provisions of this section.

15 SECTION 23. AMENDATORY 21 O.S. 2011, Section 1289.10, as  
16 amended by Section 15, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
17 Section 1289.10), is amended to read as follows:

18 Section 1289.10

19 FURNISHING FIREARMS TO INCOMPETENT PERSONS

20 It shall be unlawful for any person to knowingly transmit,  
21 transfer, sell, lend or furnish any shotgun, rifle or pistol to any  
22 person who is under an adjudication of mental incompetency, or to  
23 any person who is mentally deficient or of unsound mind. Any person  
24

1 convicted of a violation of the provisions of this section shall be  
2 punished as provided in Section 1289.15 of this title.

3 Any person convicted of a violation of the provisions of this  
4 section after having been issued a handgun license pursuant to the  
5 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
6 1290.27 of this title shall have the license suspended for a term of  
7 six (6) months and shall be subject to an administrative fine of  
8 Fifty Dollars (\$50.00), upon a hearing and determination by the  
9 Oklahoma State Bureau of Investigation that the person is in  
10 violation of the provisions of this section.

11 SECTION 24. AMENDATORY 21 O.S. 2011, Section 1289.11, as  
12 amended by Section 16, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
13 Section 1289.11), is amended to read as follows:

14 Section 1289.11

15 RECKLESS CONDUCT

16 It shall be unlawful for any person to engage in reckless  
17 conduct while having in his or her possession any shotgun, rifle or  
18 pistol, such actions consisting of creating a situation of  
19 unreasonable risk and probability of death or great bodily harm to  
20 another, and demonstrating a conscious disregard for the safety of  
21 another person. Any person convicted of violating the provisions of  
22 this section shall be punished as provided in Section 1289.15 of  
23 this title.

24

1 Any person convicted of a violation of the provisions of this  
2 section after having been issued a handgun license pursuant to ~~the~~  
3 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
4 title shall have the license revoked and shall be subject to an  
5 administrative fine of One Thousand Dollars (\$1,000.00), upon a  
6 hearing and determination by the Oklahoma State Bureau of  
7 Investigation that the person is in violation of the provisions of  
8 this section.

9 SECTION 25. AMENDATORY 21 O.S. 2011, Section 1289.12, as  
10 amended by Section 17, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
11 Section 1289.12), is amended to read as follows:

12 Section 1289.12

13 GIVING FIREARMS TO CONVICTED PERSONS

14 It shall be unlawful for any person within this state to  
15 knowingly sell, trade, give, transmit or otherwise cause the  
16 transfer of rifles, shotguns or pistols to any convicted felon or an  
17 adjudicated delinquent, and it shall be unlawful for any person  
18 within this state to knowingly sell, trade, give, transmit or  
19 otherwise cause the transfer of any shotgun, rifle or pistol to any  
20 individual who is under the influence of alcohol or drugs or is  
21 mentally or emotionally unbalanced or disturbed. All persons who  
22 engage in selling, trading or otherwise transferring firearms will  
23 display this section prominently in full view at or near the point  
24 of normal firearms sale, trade or transfer. Any person convicted of

1 violating the provisions of this section shall be punished as  
2 provided in Section 1289.15 of this title.

3 Any person convicted of a violation of this section after having  
4 been issued a handgun license pursuant to ~~the Oklahoma Self-Defense~~  
5 ~~Act~~ Sections 1290.2 through 1290.27 of this title shall have the  
6 license suspended for six (6) months and shall be liable for an  
7 administrative fine of Fifty Dollars (\$50.00), upon a hearing and  
8 determination by the Oklahoma State Bureau of Investigation that the  
9 person is in violation of the provisions of this section.

10 SECTION 26. AMENDATORY 21 O.S. 2011, Section 1289.13, as  
11 last amended by Section 6, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
12 2020, Section 1289.13), is amended to read as follows:

13 Section 1289.13

14 TRANSPORTING A LOADED FIREARM

15 Except as otherwise provided by law, it shall be unlawful to  
16 transport a loaded rifle or shotgun in a landborne motor vehicle  
17 over a public highway or roadway unless the rifle or shotgun is  
18 transported clip- or magazine-loaded, not chamber-loaded, and in an  
19 exterior locked compartment of the vehicle or trunk of the vehicle  
20 or in the interior compartment of the vehicle.

21 Any person convicted of a violation of this section shall be  
22 punished as provided in Section 1289.15 of this title.

23 Any person who is the operator of a vehicle or is a passenger in  
24 any vehicle wherein another person who is licensed pursuant to ~~the~~

1 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
2 title to carry a handgun, concealed or unconcealed, and has a rifle  
3 or shotgun in such vehicle shall not be deemed in violation of the  
4 provisions of this section provided the licensee is in or near the  
5 vehicle.

6 SECTION 27. AMENDATORY 21 O.S. 2011, Section 1289.13A,  
7 as last amended by Section 7, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
8 2020, Section 1289.13A), is amended to read as follows:

9 Section 1289.13A

10 IMPROPER TRANSPORTATION OF FIREARMS

11 A. Notwithstanding the provisions of Section 1272 or 1289.7 of  
12 this title, any person stopped pursuant to a moving traffic  
13 violation who is transporting a loaded pistol in the motor vehicle  
14 without a valid handgun license authorized by ~~the Oklahoma Self-~~  
15 ~~Defense Act~~ Sections 1290.2 through 1290.27 of this title or valid  
16 license from another state, or in violation of any law related to  
17 the carrying or transporting of firearms, whether the loaded firearm  
18 is concealed or unconcealed in the vehicle, may be issued a traffic  
19 citation in the amount of Seventy Dollars (\$70.00), plus court costs  
20 for transporting a firearm improperly. In addition to the traffic  
21 citation provided in this section, the person may also be arrested  
22 for any other violation of law.

23 B. Any firearm lawfully carried or transported as permitted  
24 pursuant to state law shall not be confiscated, unless:

1 1. The person is arrested for violating another provision of  
2 law other than a violation of subsection A of this section;  
3 provided, however, if the person is never charged with an offense  
4 pursuant to this paragraph or if the charges are dismissed or the  
5 person is acquitted, the weapon shall be returned to the person; or

6 2. The officer has probable cause to believe the weapon is:

7 a. contraband, or

8 b. a firearm used in the commission of a crime other than  
9 a violation of subsection A of this section.

10 C. Nothing in this section shall be construed to require  
11 confiscation of any firearm.

12 SECTION 28. AMENDATORY 21 O.S. 2011, Section 1289.16, as  
13 last amended by Section 1, Chapter 266, O.S.L. 2017 (21 O.S. Supp.  
14 2020, Section 1289.16), is amended to read as follows:

15 Section 1289.16

16 FELONY POINTING FIREARMS

17 Except for an act of self-defense, it shall be unlawful for any  
18 person to willfully or without lawful cause point a shotgun, rifle  
19 or pistol, or any deadly weapon, whether loaded or not, at any  
20 person or persons for the purpose of threatening or with the  
21 intention of discharging the firearm or with any malice or for any  
22 purpose of injuring, either through physical injury or mental or  
23 emotional intimidation or for purposes of whimsy, humor or prank, or  
24 in anger or otherwise, but not to include the pointing of shotguns,

1 rifles or pistols by law enforcement authorities in the performance  
2 of their duties, armed security guards licensed by the Council on  
3 Law Enforcement Education and Training pursuant to the Oklahoma  
4 Security Guard and Private Investigator Act in the performance of  
5 their duties, members of the state military forces in the  
6 performance of their duties, members of the federal military reserve  
7 and active military components in the performance of their duties,  
8 or any federal government law enforcement officer in the performance  
9 of any duty, or in the performance of a play on stage, rodeo,  
10 television or on film, or in defense of any person, one's home or  
11 property. Any person convicted of a violation of the provisions of  
12 this section shall be punished as provided in Section 1289.17 of  
13 this title.

14 Any person convicted of a violation of the provisions of this  
15 section after having been issued a handgun license pursuant to ~~the~~  
16 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
17 title shall have the license revoked and shall be subject to an  
18 administrative fine of One Thousand Dollars (\$1,000.00), upon a  
19 hearing and determination by the Oklahoma State Bureau of  
20 Investigation that the person is in violation of the provisions of  
21 this section.

22 SECTION 29. AMENDATORY 21 O.S. 2011, Section 1289.18, as  
23 amended by Section 3, Chapter 63, O.S.L. 2019 (21 O.S. Supp. 2020,  
24 Section 1289.18), is amended to read as follows:

1 Section 1289.18

2 DEFINITIONS

3 A. "Sawed-off shotgun" shall mean any firearm capable of  
4 discharging a series of projectiles of any material which may  
5 reasonably be expected to be able to cause lethal injury, with a  
6 barrel or barrels less than eighteen (18) inches in length, and  
7 using a combustible propellant charge, but does not include any  
8 weapon so designed with a barrel less than eighteen (18) inches in  
9 length, provided it has an overall length of twenty-six (26) inches  
10 or more.

11 B. "Sawed-off rifle" shall mean any rifle having a barrel or  
12 barrels of less than sixteen (16) inches in length or any weapon  
13 made from a rifle (whether by alteration, modification, or  
14 otherwise) if such a weapon as modified has an overall length of  
15 less than twenty-six (26) inches in length, including the stock  
16 portion.

17 C. Every person who knowingly has in his or her possession or  
18 under his or her immediate control a sawed-off shotgun or a sawed-  
19 off rifle, whether concealed or not, shall upon conviction be guilty  
20 of a felony for the possession of such device, and shall be  
21 punishable by a fine not to exceed One Thousand Dollars (\$1,000.00),  
22 or imprisonment in the State Penitentiary for a period not to exceed  
23 two (2) years, or both such fine and imprisonment.



1 D. This section shall not apply to any firearm that is lawfully  
2 possessed under federal law or that is otherwise not regulated as a  
3 "firearm" pursuant to the National Firearms Act.

4 E. The term "firearm" as used in this section and in the  
5 ~~Oklahoma Firearms Act of 1971~~ Oklahoma Self-Defense Act of 2021,  
6 shall not include an "antique firearm" as defined in 18 U.S.C.,  
7 Section 921 (2006).

8 SECTION 30. AMENDATORY 21 O.S. 2011, Section 1289.23, as  
9 last amended by Section 1, Chapter 406, O.S.L. 2019 (21 O.S. Supp.  
10 2020, Section 1289.23), is amended to read as follows:

11 Section 1289.23

12 CONCEALED FIREARM FOR OFF-DUTY POLICE OFFICER

13 A. Notwithstanding any provision of law to the contrary, a  
14 full-time duly appointed peace officer who is certified by the  
15 Council on Law Enforcement Education and Training (CLEET), pursuant  
16 to the provisions of Section 3311 of Title 70 of the Oklahoma  
17 Statutes, is hereby authorized to carry a weapon approved by the  
18 employing agency anywhere in the state of Oklahoma, both while on  
19 active duty and during periods when the officer is not on active  
20 duty as provided by the provisions of subsection B of this section.

21 B. When a full-time duly appointed officer carries an approved  
22 weapon, the officer shall be wearing the law enforcement uniform  
23 prescribed by the employing agency or plainclothes. When not  
24

1 wearing the prescribed law enforcement uniform, the officer shall be  
2 required:

3 1. To have the official peace officers badge, Commission Card  
4 and CLEET Certification Card on his or her person at all times when  
5 carrying a weapon approved by the employing agency; and

6 2. To keep the approved weapon on his or her person at all  
7 times, except when the weapon is used within the guidelines  
8 established by the employing agency.

9 C. Nothing in this section shall be construed to alter or amend  
10 the provisions of Section 1272.1 of this title or expand the duties,  
11 authority or jurisdiction of any peace officer.

12 D. A reserve peace officer who has satisfactorily completed a  
13 basic police course of not less than one hundred twenty (120) hours  
14 of accredited instruction for reserve police officers and reserve  
15 deputies from the Council on Law Enforcement Education and Training  
16 or a course of study approved by CLEET may carry an approved weapon  
17 when such officer is off duty as provided by subsection E of this  
18 section, provided:

19 1. The officer has been granted written authorization signed by  
20 the director of the employing agency; and

21 2. The employing agency shall maintain a current list of any  
22 officers authorized to carry an approved weapon while the officers  
23 are off duty, and shall provide a copy of such list to the Council  
24 on Law Enforcement Education and Training. Any change to the list

1 shall be made in writing and mailed to the Council on Law  
2 Enforcement Education and Training within five (5) days.

3 E. When an off-duty reserve peace officer carries an approved  
4 weapon, the officer shall be wearing the law enforcement uniform  
5 prescribed by the employing agency or when not wearing the  
6 prescribed law enforcement uniform, the officer shall be required:

7 1. To have his or her official peace officer's badge,  
8 Commission Card, CLEET Certification Card; and

9 2. To keep the approved weapon on his or her person at all  
10 times, except when the weapon is used within the guidelines  
11 established by the employing agency.

12 F. Nothing in subsection D of this section shall be construed  
13 to alter or amend the provisions of Section 1750.2 of Title 59 of  
14 the Oklahoma Statutes or expand the duties, jurisdiction or  
15 authority of any reserve peace officer.

16 G. Nothing in this section shall be construed to limit or  
17 restrict any peace officer or reserve peace officer from carrying a  
18 handgun, concealed or unconcealed, as allowed by ~~the Oklahoma Self-~~  
19 ~~Defense Act~~ Sections 1290.2 through 1290.27 of this title after  
20 issuance of a valid license. An off-duty, full-time peace officer  
21 or reserve peace officer shall be deemed to have elected to carry a  
22 handgun under the authority of ~~the Oklahoma Self-Defense Act~~  
23 Sections 1290.2 through 1290.27 of this title when the officer:  
24

1           1. Has been issued a valid handgun license and is carrying a  
2 handgun not authorized by the employing agency; or

3           2. Is carrying a handgun in a manner or in a place not  
4 specifically authorized for off-duty carry by the employing agency.

5           H. Any off-duty peace officer who carries any weapon in  
6 violation of the provisions of this section shall be deemed to be in  
7 violation of Section 1272 of this title and may be prosecuted as  
8 provided by law for a violation of that section.

9           I. On or after November 1, 2004, a reserve or full-time  
10 commissioned peace officer may apply to carry a weapon pursuant to  
11 ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of  
12 this title as follows:

13           1. The officer shall apply in writing to the Council on Law  
14 Enforcement Education and Training (CLEET) stating that the officer  
15 desires to have a handgun license pursuant to ~~the Oklahoma Self-~~  
16 ~~Defense Act~~ Sections 1290.2 through 1290.27 of this title and  
17 certifying that he or she has no preclusions to having such handgun  
18 license. The officer shall submit with the application:

19           a. an official letter from his or her employing agency  
20               confirming the officer's employment and status as a  
21               full-time commissioned peace officer or an active  
22               reserve peace officer,

23           b. a fee of Twenty-five Dollars (\$25.00) for the handgun  
24               license, and

1           c.   two passport-size photographs of the peace officer  
2           applicant;

3           2.   Upon receiving the required information, CLEET shall  
4 determine whether the peace officer is in good standing, has CLEET  
5 certification and training, and is otherwise eligible for a handgun  
6 license. Upon verification of the officer's eligibility, CLEET  
7 shall send the information to the Oklahoma State Bureau of  
8 Investigation (OSBI) and OSBI shall issue a handgun license in the  
9 same or similar form as other handgun licenses. All other  
10 requirements in Section 1290.12 of this title concerning application  
11 for a handgun license shall be waived for active duty peace officers  
12 except as provided in this subsection including, but not limited to,  
13 training, fingerprints and criminal history records checks unless  
14 the officer does not have fingerprints on file or a criminal history  
15 records background check conducted prior to employment as a peace  
16 officer. The OSBI shall conduct a check of the National Instant  
17 Criminal Background Check System (NICS) prior to the issuance of a  
18 handgun license. The OSBI shall not be required to conduct any  
19 further investigation into the eligibility of the peace officer  
20 applicant and shall not deny a handgun license except when  
21 preclusions are found to exist;

22           3.   The term of the handgun license for an active duty reserve  
23 or full-time commissioned peace officer pursuant to this section  
24 shall be as provided in Section 1290.5 of this title, renewable in

1 the same manner provided in this subsection for an original  
2 application by a peace officer. The handgun license shall be valid  
3 when the peace officer is in possession of a valid driver license  
4 and law enforcement Commission Card;

5 4. If the Commission Card of a law enforcement officer is  
6 terminated, revoked or suspended, the handgun license shall be  
7 immediately returned to CLEET. When a peace officer in possession  
8 of a handgun license pursuant to this subsection changes employment,  
9 the person must notify CLEET within ninety (90) days and send a new  
10 letter verifying employment and status as a full-time commissioned  
11 or reserve peace officer;

12 5. There shall be no refund of any fee for any unexpired term  
13 of any handgun license that is suspended, revoked or voluntarily  
14 returned to CLEET, or that is denied, suspended or revoked by the  
15 OSBI;

16 6. CLEET may promulgate any rules, forms or procedures  
17 necessary to implement the provisions of this section; and

18 7. Nothing in this subsection shall be construed to change or  
19 amend the application process, eligibility, effective date or fees  
20 of any handgun license pending issuance on November 1, 2004, or  
21 previously issued to any peace officer prior to November 1, 2004.

22 SECTION 31. AMENDATORY 21 O.S. 2011, Section 1289.24, as  
23 last amended by Section 8, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
24 2020, Section 1289.24), is amended to read as follows:

1 Section 1289.24

2 FIREARM REGULATION - STATE PREEMPTION

3 A. 1. The State Legislature hereby occupies and preempts the  
4 entire field of legislation in this state touching in any way  
5 firearms, knives, components, ammunition, and supplies to the  
6 complete exclusion of any order, ordinance, or regulation by any  
7 municipality or other political subdivision of this state. Any  
8 existing or future orders, ordinances, or regulations in this field,  
9 except as provided for in paragraph 2 of this subsection and  
10 subsection C of this section, are null and void.

11 2. A municipality may adopt any ordinance:

- 12 a. relating to the discharge of firearms within the  
13 jurisdiction of the municipality, and
- 14 b. allowing the municipality to issue a traffic citation  
15 for transporting a firearm improperly as provided for  
16 in Section 1289.13A of this title; ~~provided, however,~~  
17 that penalties contained for violation of any  
18 ordinance enacted pursuant to the provisions of this  
19 subparagraph shall not exceed the penalties  
20 established in ~~the Oklahoma Self-Defense Act~~ Sections  
21 1290.2 through 1290.27 of this title.

22 3. As provided in the preemption provisions of this section,  
23 the otherwise lawful carrying or possession of a firearm under the  
24 provisions of Chapter 53 of this title shall not be punishable by

1 any municipality or other political subdivision of this state as  
2 disorderly conduct, disturbing the peace or similar offense against  
3 public order.

4 4. A public or private school may create a policy regulating  
5 the possession of knives on school property or in any school bus or  
6 vehicle used by the school for purposes of transportation.

7 B. No municipality or other political subdivision of this state  
8 shall adopt any order, ordinance, or regulation concerning in any  
9 way the sale, purchase, purchase delay, transfer, ownership, use,  
10 keeping, possession, carrying, bearing, transportation, licensing,  
11 permit, registration, taxation other than sales and compensating use  
12 taxes, or other controls on firearms, knives, components,  
13 ammunition, and supplies.

14 C. Except as hereinafter provided, this section shall not  
15 prohibit any order, ordinance, or regulation by any municipality  
16 concerning the confiscation of property used in violation of the  
17 ordinances of the municipality as provided for in Section 28-121 of  
18 Title 11 of the Oklahoma Statutes. Provided, however, no municipal  
19 ordinance relating to transporting a firearm or knife improperly may  
20 include a provision for confiscation of property.

21 D. When a person's rights pursuant to the protection of the  
22 preemption provisions of this section have been violated, the person  
23 shall have the right to bring a civil action against the persons,  
24



1 municipality, and political subdivision jointly and severally for  
2 injunctive relief or monetary damages or both.

3 SECTION 32. AMENDATORY 21 O.S. 2011, Section 1289.25, as  
4 last amended by Section 1, Chapter 218, O.S.L. 2018 (21 O.S. Supp.  
5 2020, Section 1289.25), is amended to read as follows:

6 Section 1289.25

7 PHYSICAL OR DEADLY FORCE AGAINST INTRUDER

8 A. The Legislature hereby recognizes that the citizens of the  
9 State of Oklahoma have a right to expect absolute safety within  
10 their own homes, places of business or places of worship and have  
11 the right to establish policies regarding the possession of weapons  
12 on property pursuant to the provisions of Section 1290.22 of this  
13 title.

14 B. A person, regardless of official capacity or lack of  
15 official capacity, within a place of worship or a person, an owner,  
16 manager or employee of a business is presumed to have held a  
17 reasonable fear of imminent peril of death or great bodily harm to  
18 himself or herself or another when using defensive force that is  
19 intended or likely to cause death or great bodily harm to another  
20 if:

21 1. a. The person against whom the defensive force was used  
22 was in the process of unlawfully and forcefully  
23 entering, or had unlawfully and forcibly entered, a  
24 dwelling, residence, occupied vehicle, place of

1 business or place of worship, or if that person had  
2 removed or was attempting to remove another against  
3 the will of that person from the dwelling, residence,  
4 occupied vehicle, place of business or place of  
5 worship.

6 b. The person who uses defensive force knew or had reason  
7 to believe that an unlawful and forcible entry or  
8 unlawful and forcible act was occurring or had  
9 occurred; or

10 2. The person who uses defensive force knew or had a reasonable  
11 belief that the person against whom the defensive force was used  
12 entered or was attempting to enter into a dwelling, residence,  
13 occupied vehicle, place of business or place of worship for the  
14 purpose of committing a forcible felony, as defined in Section 733  
15 of this title, and that the defensive force was necessary to prevent  
16 the commission of the forcible felony.

17 C. The presumption set forth in subsection B of this section  
18 does not apply if:

19 1. The person against whom the defensive force is used has the  
20 right to be in or is a lawful resident of the dwelling, residence,  
21 or vehicle, such as an owner, lessee, or titleholder, and there is  
22 not a protective order from domestic violence in effect or a written  
23 pretrial supervision order of no contact against that person;

1           2. The person or persons sought to be removed are children or  
2 grandchildren, or are otherwise in the lawful custody or under the  
3 lawful guardianship of, the person against whom the defensive force  
4 is used; or

5           3. The person who uses defensive force is engaged in an  
6 unlawful activity or is using the dwelling, residence, occupied  
7 vehicle, place of business or place of worship to further an  
8 unlawful activity.

9           D. A person who is not engaged in an unlawful activity and who  
10 is attacked in any other place where he or she has a right to be has  
11 no duty to retreat and has the right to stand his or her ground and  
12 meet force with force, including deadly force, if he or she  
13 reasonably believes it is necessary to do so to prevent death or  
14 great bodily harm to himself or herself or another or to prevent the  
15 commission of a forcible felony.

16           E. A person who unlawfully and by force enters or attempts to  
17 enter the dwelling, residence, occupied vehicle of another person,  
18 place of business or place of worship is presumed to be doing so  
19 with the intent to commit an unlawful act involving force or  
20 violence.

21           F. A person who uses defensive force, as permitted pursuant to  
22 the provisions of subsections A, B, D and E of this section, is  
23 justified in using such defensive force and is immune from criminal  
24 prosecution and civil action for the use of such defensive force.

1 As used in this subsection, the term "criminal prosecution" includes  
2 charging or prosecuting the defendant.

3 G. A law enforcement agency may use standard procedures for  
4 investigating the use of defensive force, but the law enforcement  
5 agency may not arrest the person for using defensive force unless it  
6 determines that there is probable cause that the defensive force  
7 that was used was unlawful.

8 H. The court shall award reasonable attorney fees, court costs,  
9 compensation for loss of income, and all expenses incurred by the  
10 defendant in defense of any civil action brought by a plaintiff if  
11 the court finds that the defendant is immune from prosecution as  
12 provided in subsection F of this section.

13 I. The provisions of this section and the provisions of ~~the~~  
14 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
15 title shall not be construed to require any person using a weapon  
16 pursuant to the provisions of this section to be licensed in any  
17 manner.

18 J. A person pointing a weapon at a perpetrator in self-defense  
19 or in order to thwart, stop or deter a forcible felony or attempted  
20 forcible felony shall not be deemed guilty of committing a criminal  
21 act.

22 K. As used in this section:

23 1. "Defensive force" includes, but shall not be limited to,  
24 pointing a weapon at a perpetrator in self-defense or in order to

1 thwart, stop or deter a forcible felony or attempted forcible  
2 felony;

3 2. "Dwelling" means a building or conveyance of any kind,  
4 including any attached porch, whether the building or conveyance is  
5 temporary or permanent, mobile or immobile, which has a roof over  
6 it, including a tent, and is designed to be occupied by people;

7 3. "Place of worship" means:

8 a. any permanent building, structure, facility or office  
9 space owned, leased, rented or borrowed, on a full-  
10 time basis, when used for worship services, activities  
11 and business of the congregation, which may include,  
12 but not be limited to, churches, temples, synagogues  
13 and mosques, and

14 b. any permanent building, structure, facility or office  
15 space owned, leased, rented or borrowed for use on a  
16 temporary basis, when used for worship services,  
17 activities and business of the congregation including,  
18 but not limited to, churches, temples, synagogues and  
19 mosques;

20 4. "Residence" means a dwelling in which a person resides  
21 either temporarily or permanently or is visiting as an invited  
22 guest; and

23 5. "Vehicle" means a conveyance of any kind, whether or not  
24 motorized, which is designed to transport people or property.

1 SECTION 33. AMENDATORY 21 O.S. 2011, Section 1290.2, as  
2 last amended by Section 4, Chapter 63, O.S.L. 2019 (21 O.S. Supp.  
3 2020, Section 1290.2), is amended to read as follows:

4 Section 1290.2

5 DEFINITIONS

6 A. As used in ~~the Oklahoma Self-Defense Act~~ Sections 1290.2  
7 through 1290.27 of this title:

8 1. "Concealed handgun" means a loaded or unloaded pistol or  
9 handgun not openly visible to the ordinary observation of a  
10 reasonable person;

11 2. "Unconcealed handgun" or "open carry" means a loaded or  
12 unloaded pistol or handgun carried upon the person in a holster  
13 where the firearm is visible, or carried upon the person using a  
14 scabbard, sling or case designed for carrying firearms; and

15 3. "Pistol" or "handgun" shall have the same definition as  
16 provided in ~~the Oklahoma Firearms Act of 1971, defined in~~ Section  
17 1289.3 of this title.

18 B. The definition of pistol or handgun for purposes of ~~the~~  
19 ~~Oklahoma Self-Defense Act~~ handgun licensure shall not apply to  
20 imitation pistols, flare guns, underwater fishing guns or blank  
21 pistols.

22 SECTION 34. AMENDATORY 21 O.S. 2011, Section 1290.3, as  
23 amended by Section 24, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
24 Section 1290.3), is amended to read as follows:

1 Section 1290.3

2 AUTHORITY TO ISSUE LICENSE

3 The Oklahoma State Bureau of Investigation is hereby authorized  
4 to license an eligible person to carry a concealed or unconcealed  
5 handgun as provided by the provisions of ~~the Oklahoma Self-Defense~~  
6 ~~Act~~ Sections 1290.2 through 1290.27 of this title. The authority of  
7 the Bureau shall be limited to the provisions specifically provided  
8 in ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of  
9 this title. The Bureau shall promulgate rules, forms and procedures  
10 necessary to implement the provisions of ~~the Oklahoma Self-Defense~~  
11 ~~Act~~ Sections 1290.2 through 1290.27 of this title.

12 SECTION 35. AMENDATORY 21 O.S. 2011, Section 1290.4, as  
13 amended by Section 25, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
14 Section 1290.4), is amended to read as follows:

15 Section 1290.4

16 UNLAWFUL CARRY

17 As provided by Section 1272 of this title, it is unlawful for  
18 any person to carry a concealed or unconcealed handgun in this  
19 state, except as hereby authorized by the provisions of ~~the Oklahoma~~  
20 ~~Self-Defense Act~~ Sections 1290.2 through 1290.27 of this title or as  
21 may otherwise be provided by law.

22 SECTION 36. AMENDATORY 21 O.S. 2011, Section 1290.5, as  
23 last amended by Section 3, Chapter 406, O.S.L. 2019 (21 O.S. Supp.  
24 2020, Section 1290.5), is amended to read as follows:

1 Section 1290.5

2 TERM OF LICENSE AND RENEWAL

3 A. A handgun license when issued shall authorize the person to  
4 whom the license is issued to carry a loaded or unloaded handgun,  
5 concealed or unconcealed, as authorized by the provisions of ~~the~~  
6 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
7 title, and any future modifications thereto. The license shall be  
8 valid in this state for a period of five (5) or ten (10) years,  
9 unless subsequently surrendered, suspended or revoked as provided by  
10 law. The person shall have no authority to continue to carry a  
11 concealed or unconcealed handgun in this state pursuant to ~~the~~  
12 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
13 title when a license is expired or when a license has been  
14 voluntarily surrendered or suspended or revoked for any reason.

15 B. A license may be renewed any time within ninety (90) days  
16 prior to the expiration date as provided in this subsection. The  
17 Bureau may notify each eligible licensee with an email address on  
18 file at least ninety (90) days prior to the expiration of the  
19 license. There shall be a ninety-day grace period on license  
20 renewals beginning on the date of expiration; thereafter the license  
21 is considered expired. However, any applicant shall have three (3)  
22 years from the expiration of the license to comply with the renewal  
23 requirements of this section.



1 1. To renew a handgun license, the licensee must first obtain a  
2 renewal form from the Oklahoma State Bureau of Investigation.

3 2. The applicant must complete the renewal form, attach two  
4 current passport size photographs of the applicant, and submit a  
5 renewal fee in the amount of Eighty-five Dollars (\$85.00) to the  
6 Bureau. The renewal fee may be paid with a nationally recognized  
7 credit card as provided in subparagraph b of paragraph 4 of  
8 subsection A of Section 1290.12 of this title, by electronic funds  
9 transfer, or by a cashier's check or money order made payable to the  
10 Oklahoma State Bureau of Investigation.

11 3. Upon receipt of the renewal application, photographs and  
12 fee, the Bureau will conduct a criminal history records name search,  
13 an investigation of medical records or other records or information  
14 deemed by the Bureau to be relevant to the renewal application. If  
15 the applicant appears not to have any prohibition to renewing the  
16 handgun license, the Bureau shall issue the renewed license for a  
17 period of five (5) or ten (10) years.

18 C. Beginning November 1, 2007, any person making application  
19 for a handgun license or any licensee seeking to renew a handgun  
20 license shall have the option to request that said license be valid  
21 for a period of ten (10) years. The fee for any handgun license  
22 issued for a period of ten (10) years shall be double the amount of  
23 the fee provided for in paragraph 4 of subsection A of Section  
24 1290.12 of this title. The renewal fee for a handgun license issued

1 for a period of ten (10) years shall be double the amount of the fee  
2 provided for in paragraph 2 of subsection B of this section.

3 SECTION 37. AMENDATORY 21 O.S. 2011, Section 1290.6, as  
4 amended by Section 27, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
5 Section 1290.6), is amended to read as follows:

6 Section 1290.6

7 PROHIBITED AMMUNITION

8 Any concealed or unconcealed handgun when carried in a manner  
9 authorized by the provisions of ~~the Oklahoma Self-Defense Act~~  
10 Sections 1290.2 through 1290.27 of this title and when loaded with  
11 any ammunition which is either a restricted bullet as defined by  
12 Section 1289.19 of this title or is larger than .45 caliber or is  
13 otherwise prohibited by law shall be deemed a prohibited weapon ~~for~~  
14 ~~purposes of the Oklahoma Self-Defense Act.~~ Any person violating the  
15 provisions of this section shall be punished for a criminal offense  
16 as provided by Section 1272 of this title or any other applicable  
17 provision of law. In addition to any criminal prosecution for a  
18 violation of the provisions of this section, the licensee shall be  
19 subject to an administrative fine of Five Hundred Dollars (\$500.00),  
20 upon a hearing and determination by the Oklahoma State Bureau of  
21 Investigation that the person is in violation of the provisions of  
22 this section.

23

24

1 SECTION 38. AMENDATORY 21 O.S. 2011, Section 1290.7, as  
2 last amended by Section 10, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
3 2020, Section 1290.7), is amended to read as follows:

4 Section 1290.7

5 CONSTRUING AUTHORITY OF LICENSE

6 A. The authority to carry a concealed or unconcealed handgun  
7 pursuant to a valid handgun license as authorized by the provisions  
8 of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of  
9 this title shall not be construed to authorize any person to:

10 1. Carry or possess any weapon other than an authorized pistol  
11 as defined by the provisions of Section 1290.2 of this title;

12 2. Carry or possess any pistol in any manner or in any place  
13 otherwise prohibited by law;

14 3. Carry or possess any prohibited ammunition or any illegal,  
15 imitation or homemade pistol;

16 4. Carry or possess any pistol when the person is prohibited by  
17 state or federal law from carrying or possessing any firearm; or

18 5. Point, discharge or use the pistol in any manner not  
19 otherwise authorized by law.

20 B. The availability of a license to carry pursuant to the  
21 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
22 1290.27 of this title shall not be construed to prohibit the lawful  
23 transport or carrying of a handgun or pistol in a vehicle or on or  
24

1 about the person whether concealed or unconcealed, loaded or  
2 unloaded, and without a valid handgun license as permitted by law.

3 SECTION 39. AMENDATORY 21 O.S. 2011, Section 1290.8, as  
4 last amended by Section 4, Chapter 406, O.S.L. 2019 (21 O.S. Supp.  
5 2020, Section 1290.8), is amended to read as follows:

6 Section 1290.8

7 POSSESSION OF LICENSE REQUIRED

8 NOTIFICATION TO POLICE OF GUN

9 A. Except as otherwise prohibited by law, an eligible person  
10 shall have authority to carry a concealed or unconcealed handgun in  
11 this state when:

12 1. The person has been issued a handgun license from the  
13 Oklahoma State Bureau of Investigation pursuant to the provisions of  
14 ~~the Oklahoma Self-Defense Act Sections 1290.2 through 1290.27 of~~  
15 this title, provided the person is in compliance with the provisions  
16 of ~~the Oklahoma Self-Defense Act Sections 1290.2 through 1290.27 of~~  
17 this title, and the license has not expired or been subsequently  
18 suspended or revoked; or

19 2. The person is twenty-one (21) years of age or older, and is  
20 either:

21 a. active military, or

22 b. a member of the Reserve or National Guard to include  
23 Drill Status Guard and Reserve, Active Guard Reserves  
24 or Military Technicians,

1 and presents a valid military identification card that shall be  
2 considered a valid handgun license issued pursuant to ~~the Oklahoma~~  
3 ~~Self-Defense Act~~ Sections 1290.2 through 1290.27 of this title.

4 B. A person in possession of a valid handgun license or who  
5 meets the criteria and presents a valid military identification card  
6 as provided for in this section and in compliance with the  
7 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
8 1290.27 of this title shall be authorized to carry such concealed or  
9 unconcealed handgun while scouting as it relates to hunting or  
10 fishing or while hunting or fishing.

11 C. The person shall be required to have possession of his or  
12 her valid handgun license or valid military identification card as  
13 provided for qualified persons in this section and a valid driver  
14 license or state photo identification at all times when in  
15 possession of an authorized pistol. The person shall display the  
16 handgun license or a valid military identification card as provided  
17 for qualified persons in this section on demand of a law enforcement  
18 officer; provided, however, that in the absence of reasonable and  
19 articulable suspicion of other criminal activity, an individual  
20 carrying an unconcealed or concealed handgun shall not be disarmed  
21 or physically restrained unless the individual fails to display a  
22 valid handgun license or a valid military identification card as  
23 provided for qualified persons in this section in response to that  
24 demand. Any violation of the provisions of this subsection may be

1 punishable as a criminal offense as authorized by Section 1272 of  
2 this title or pursuant to any other applicable provision of law.

3       Upon the arrest of any person for a violation of the provisions  
4 of this subsection, the person may show proof to the court that a  
5 valid handgun license and the other required identification has been  
6 issued to such person and the person may state any reason why the  
7 handgun license, a valid military identification card as provided  
8 for qualified persons in this section or the other required  
9 identification was not carried by the person ~~as required by the~~  
10 ~~Oklahoma Self-Defense Act~~. The court shall dismiss an alleged  
11 violation of Section 1272 of this title upon payment of court costs,  
12 if proof of a valid handgun license and other required  
13 identification is shown to the court within ten (10) days of the  
14 arrest of the person. The court shall report a dismissal of a  
15 charge to the Bureau for consideration of administrative proceedings  
16 against the licensee.

17       D. It shall be unlawful for any person to fail or refuse to  
18 identify the fact that the person is in actual possession of a  
19 concealed or unconcealed firearm pursuant to the authority of ~~the~~  
20 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
21 title during the course of any arrest, detainment, or routine  
22 traffic stop. Said identification to the law enforcement officer  
23 shall be required upon the demand of the law enforcement officer.  
24 No person shall be required to identify himself or herself as a

1 handgun licensee or as lawfully in possession of any other firearm  
2 if the law enforcement officer does not demand the information. No  
3 person shall be required to identify himself or herself as a handgun  
4 licensee when no handgun is in the possession of the person or in  
5 any vehicle in which the person is driving or is a passenger. Any  
6 violator of the provisions of this subsection may be issued a  
7 citation for an amount not exceeding One Hundred Dollars (\$100.00).

8 E. Any law enforcement officer coming in contact with a person  
9 whose handgun license is suspended, revoked, or expired, or who is  
10 in possession of a handgun license which has not been lawfully  
11 issued to that person, shall confiscate the license and return it to  
12 the Oklahoma State Bureau of Investigation for appropriate  
13 administrative proceedings against the licensee when the license is  
14 no longer needed as evidence in any criminal proceeding.

15 F. Nothing in this section shall be construed to authorize a  
16 law enforcement officer to inspect any weapon properly concealed or  
17 unconcealed without probable cause that a crime has been committed.

18 SECTION 40. AMENDATORY 21 O.S. 2011, Section 1290.9, as  
19 last amended by Section 1, Chapter 423, O.S.L. 2019 (21 O.S. Supp.  
20 2020, Section 1290.9), is amended to read as follows:

21 Section 1290.9

22 ELIGIBILITY

23 The following requirements shall apply to any person making  
24 application to the Oklahoma State Bureau of Investigation for a

1 handgun license pursuant to the provisions of ~~the Oklahoma Self-~~  
2 ~~Defense Act~~ Sections 1290.2 through 1290.27 of this title. The  
3 person must:

- 4 1. Be a citizen of the United States with established residency  
5 in the State of Oklahoma; or
- 6 2. Be a lawful permanent resident in the United States and have  
7 established residency in the State of Oklahoma.

8 For purposes of the Oklahoma Self-Defense Act of 2021:

- 9 a. the term "residency" shall apply to any person who  
10 either possesses a valid Oklahoma driver license or  
11 state photo identification card, and physically  
12 maintains a residence in this state or to any person,  
13 including the spouse of such person, who has permanent  
14 military orders within this state and possesses a  
15 valid driver license from another state where such  
16 person and spouse of such person claim residency, and
- 17 b. the term "lawful permanent resident" shall mean a  
18 noncitizen who is lawfully authorized to live  
19 permanently within the United States;
- 20 3. Be at least:
  - 21 a. twenty-one (21) years of age, or
  - 22 b. eighteen (18) years of age but not yet twenty-one (21)  
23 years of age and the person is a member or veteran of  
24 the United States Armed Forces, the Reserves or



1 National Guard, or the person was discharged under  
2 honorable conditions from the United States Armed  
3 Forces, Reserves or National Guard;

4 4. Complete a firearms safety and training course and  
5 demonstrate competence and qualifications with the type of pistol to  
6 be carried by the person as provided in Section 1290.14 of this  
7 title, and submit proof of training and qualification or an  
8 exemption for training and qualification as authorized by Section  
9 1290.14 of this title;

10 5. Submit the required fee and complete the application process  
11 as provided in Section 1290.12 of this title; and

12 6. Comply in good faith with the provisions of ~~the Oklahoma~~  
13 ~~Self-Defense Act~~ Sections 1290.2 through 1290.27 of this title.

14 SECTION 41. AMENDATORY 21 O.S. 2011, Section 1290.10, as  
15 last amended by Section 5, Chapter 406, O.S.L. 2019 (21 O.S. Supp.  
16 2020, Section 1290.10), is amended to read as follows:

17 Section 1290.10

18 MANDATORY PRECLUSIONS

19 In addition to the requirements stated in Section 1290.9 of this  
20 title, the conditions stated in this section shall preclude a person  
21 from eligibility for a handgun license pursuant to the provisions of  
22 ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of  
23 this title. The occurrence of any one of the following conditions  
24 shall deny the person the right to have a handgun license pursuant

1 to the provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2  
2 through 1290.27 of this title. Prohibited conditions are:

3 1. Ineligible to possess a pistol due to any felony conviction  
4 or adjudication as a delinquent as provided by Section 1283 of this  
5 title, except as provided in subsection B of Section 1283 of this  
6 title;

7 2. Any felony conviction pursuant to any law of another state,  
8 a felony conviction pursuant to any provision of the United States  
9 Code, or any conviction pursuant to the laws of any foreign country,  
10 provided such foreign conviction would constitute a felony offense  
11 in this state if the offense had been committed in this state,  
12 except as provided in subsection B of Section 1283 of this title;

13 3. Adjudication as a mentally incompetent person pursuant to  
14 the provisions of the Oklahoma Mental Health Law, or an adjudication  
15 of incompetency entered in another state pursuant to any provision  
16 of law of that state, unless the person has been granted relief from  
17 the disqualifying disability pursuant to Section 1290.27 of this  
18 title;

19 4. Any false or misleading statement on the application for a  
20 handgun license as provided by paragraph 5 of subsection A of  
21 Section 1290.12 of this title;

22 5. Conviction of any one of the following misdemeanor offenses  
23 in this state or in any other state:

24

- a. any assault and battery which caused serious physical injury to the victim, or any second or subsequent assault and battery conviction,
- b. any aggravated assault and battery,
- c. any stalking pursuant to Section 1173 of this title, or a similar law of another state,
- d. a violation relating to the Protection from Domestic Abuse Act or any violation of a victim protection order of another state,
- e. any conviction relating to illegal drug use or possession, or
- f. an act of domestic abuse as defined by Section 644 of this title or an act of domestic assault and battery or any comparable acts under the laws of another state.

The preclusive period for a misdemeanor conviction related to illegal drug use or possession shall be ten (10) years from the date of completion of a sentence. For purposes of this subsection, "date of completion of a sentence" shall mean the day an offender completes all incarceration, probation, and parole pertaining to such sentence;

6. An attempted suicide or other condition relating to or indicating mental instability or an unsound mind which occurred within the preceding ten-year period from the date of the

1 application for a license to carry a concealed firearm or that  
2 occurs during the period of licensure;

3 7. Currently undergoing treatment for a mental illness,  
4 condition, or disorder. For purposes of this paragraph, "currently  
5 undergoing treatment for a mental illness, condition, or disorder"  
6 means the person has been diagnosed by a licensed physician as being  
7 afflicted with a substantial disorder of thought, mood, perception,  
8 psychological orientation, or memory that significantly impairs  
9 judgment, behavior, capacity to recognize reality, or ability to  
10 meet the ordinary demands of life;

11 8. Significant character defects of the applicant as evidenced  
12 by a criminal record indicating habitual criminal activity;

13 9. Ineligible to possess a pistol due to any provision of law  
14 of this state or the United States Code, except as provided in  
15 subsection B of Section 1283 of this title;

16 10. Failure to pay an assessed fine or surrender the handgun  
17 license as required by a decision by the administrative hearing  
18 examiner pursuant to ~~authority~~ Section 1290.17 of ~~the Oklahoma Self-~~  
19 ~~Defense Act~~ this title;

20 11. Being subject to an outstanding felony warrant issued in  
21 this state or another state or the United States; or

22 12. Adjudication as a delinquent as provided by Section 1283 of  
23 this title, except as provided in subsection B of Section 1283 of  
24 this title.

1 SECTION 42. AMENDATORY 21 O.S. 2011, Section 1290.11, as  
2 last amended by Section 6, Chapter 406, O.S.L. 2019 (21 O.S. Supp.  
3 2020, Section 1290.11), is amended to read as follows:

4 Section 1290.11

5 OTHER PRECLUSIONS

6 A. The following conditions shall preclude a person from being  
7 eligible for a handgun license pursuant to the provisions of ~~the~~  
8 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
9 title for a period of time as prescribed in each of the following  
10 paragraphs:

11 1. An arrest for an alleged commission of a felony offense or a  
12 felony charge pending in this state, another state or pursuant to  
13 the United States Code. The preclusive period shall be until the  
14 final determination of the matter;

15 2. The person is subject to the provisions of a deferred  
16 sentence or deferred prosecution in this state or another state or  
17 pursuant to federal authority for the commission of a felony  
18 offense. The preclusive period shall be three (3) years and shall  
19 begin upon the final determination of the matter;

20 3. Any involuntary commitment for a mental illness, condition,  
21 or disorder pursuant to the provisions of Section 5-410 of Title 43A  
22 of the Oklahoma Statutes or any involuntary commitment in another  
23 state pursuant to any provisions of law of that state. The  
24 preclusive period shall be permanent as provided by Title 18 of the

1 United States Code Section 922(g) (4) unless the person has been  
2 granted relief from the disqualifying disability pursuant to Section  
3 1290.27 of this title;

4 4. The person has previously undergone treatment for a mental  
5 illness, condition, or disorder which required medication or  
6 supervision as defined by paragraph 7 of Section 1290.10 of this  
7 title. The preclusive period shall be three (3) years from the last  
8 date of treatment or upon presentation of a certified statement from  
9 a licensed physician stating that the person is either no longer  
10 disabled by any mental or psychiatric illness, condition, or  
11 disorder or that the person has been stabilized on medication for  
12 ten (10) years or more;

13 5. Inpatient treatment for substance abuse. The preclusive  
14 period shall be three (3) years from the last date of treatment or  
15 upon presentation of a certified statement from a licensed physician  
16 stating that the person has been free from substance use for twelve  
17 (12) months or more preceding the filing of an application for a  
18 handgun license;

19 6. Two or more convictions of public intoxication pursuant to  
20 subsection D of Section 6-101 of Title 37A of the Oklahoma Statutes,  
21 or a similar law of another state. The preclusive period shall be  
22 three (3) years from the date of the completion of the last  
23 sentence;

24

1           7. Two or more misdemeanor convictions relating to intoxication  
2 or driving under the influence of an intoxicating substance or  
3 alcohol. The preclusive period shall be three (3) years from the  
4 date of the completion of the last sentence or shall require a  
5 certified statement from a licensed physician stating that the  
6 person is not in need of substance abuse treatment;

7           8. A court order for a final Victim Protection Order against  
8 the applicant, as authorized by the Protection from Domestic Abuse  
9 Act, or any court order granting a final victim protection order  
10 against the applicant from another state. The preclusive period  
11 shall be sixty (60) days from the date an order was vacated,  
12 canceled, withdrawn or otherwise no longer in effect;

13           9. An adjudicated delinquent or convicted felon residing in the  
14 residence of the applicant which may be a violation of Section 1283  
15 of this title. The preclusive period shall be thirty (30) days from  
16 the date the person no longer resides in the same residence as the  
17 applicant; or

18           10. An arrest for an alleged commission of, a charge pending  
19 for, or the person is subject to the provisions of a deferred  
20 prosecution for any one or more of the following misdemeanor  
21 offenses in this state or another state:

22           a. any assault and battery which caused serious physical  
23 injury to the victim or any second or subsequent  
24 assault and battery,

- b. any aggravated assault and battery,
- c. any stalking pursuant to Section 1173 of this title, or a similar law of another state,
- d. any violation of the Protection from Domestic Abuse Act or any violation of a victim protection order of another state,
- e. any violation relating to illegal drug use or possession, or
- f. an act of domestic abuse as defined by Section 644 of this title or an act of domestic assault and battery or any comparable acts under the law of another state.

The preclusive period shall be until the final determination of the matter. The preclusive period for a person subject to the provisions of a deferred sentence for the offenses mentioned in this paragraph shall be three (3) years and shall begin upon the final determination of the matter.

B. Nothing in this section shall be construed to require a full investigation of the applicant by the Oklahoma State Bureau of Investigation.

SECTION 43. AMENDATORY 21 O.S. 2011, Section 1290.12, as last amended by Section 7, Chapter 406, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1290.12), is amended to read as follows:

Section 1290.12

PROCEDURE FOR APPLICATION



1       A. Except as provided in paragraph 11 of this subsection, the  
2 procedure for applying for a handgun license and processing the  
3 application shall be as follows:

4       1. An eligible person may request an application packet for a  
5 handgun license from the Oklahoma State Bureau of Investigation or  
6 the county sheriff's office either in person or by mail. The Bureau  
7 may provide application packets to each sheriff not exceeding two  
8 hundred packets per request. The Bureau shall provide the following  
9 information in the application packet:

- 10       a. an application form,
- 11       b. procedures to follow to process the application form,
- 12       and
- 13       c. a copy of the ~~Oklahoma Self-Defense Act~~ handgun  
14       licensure statutes with any modifications thereto,  
15       provided for in Sections 1290.2 through 1290.27 of  
16       this title;

17       2. The person shall be required to successfully complete a  
18 firearms safety and training course from a firearms instructor who  
19 is approved and registered in this state as provided in Section  
20 1290.14 of this title or from an interactive online firearms safety  
21 and training course available electronically via the Internet which  
22 has been approved as to curriculum by the Council on Law Enforcement  
23 Education and Training, and the person shall be required to  
24 demonstrate competency and qualification with a pistol authorized

1 for concealed or unconcealed carry by the ~~Oklahoma Self-Defense Act~~.  
2 The original certificate of successful completion of a firearms  
3 safety and training course and an original certificate of successful  
4 demonstration of competency and qualification to carry and handle a  
5 pistol shall be submitted with the application for a handgun  
6 license. No duplicate, copy, facsimile or other reproduction of the  
7 certificate of training, certificate of competency and qualification  
8 or exemption from training shall be acceptable as proof of training  
9 as required by the provisions of ~~the Oklahoma Self-Defense Act~~  
10 Section 1290.14 of this title;

11 3. The application form shall be completed and delivered by the  
12 applicant, in person, to the sheriff of the county wherein the  
13 applicant resides;

14 4. The person shall deliver to the sheriff at the time of  
15 delivery of the completed application form a fee of One Hundred  
16 Dollars (\$100.00) for processing the application through the  
17 Oklahoma State Bureau of Investigation and processing the required  
18 fingerprints through the Federal Bureau of Investigation. The  
19 processing fee shall be in the form of:

- 20 a. a money order or a cashier's check made payable to the  
21 Oklahoma State Bureau of Investigation,  
22 b. a nationally recognized credit card issued to the  
23 applicant. For purposes of this paragraph,  
24 "nationally recognized credit card" means any

1 instrument or device, whether known as a credit card,  
2 credit plate, charge plate, or by any other name,  
3 issued with or without fee by the issuer for the use  
4 of the cardholder in obtaining goods, services, or  
5 anything else of value on credit which is accepted by  
6 over one thousand merchants in the state. The  
7 Oklahoma State Bureau of Investigation shall determine  
8 which nationally recognized credit cards will be  
9 accepted by the Bureau, or

10 c. electronic funds transfer.

11 Any person paying application fees to the Oklahoma State Bureau of  
12 Investigation by means of a nationally recognized credit card or by  
13 means of an electronic funds transfer shall be required to complete  
14 and submit his or her application through the online application  
15 process of the Bureau.

16 The processing fee shall not be refundable in the event of a  
17 denial of a handgun license or any suspension or revocation  
18 subsequent to the issuance of a license. Persons making application  
19 for a firearms instructor shall not be required to pay the  
20 application fee as provided in this section, but shall be required  
21 to pay the costs provided in paragraphs 6 and 8 of this subsection;

22 5. The completed application form shall be signed by the  
23 applicant in person before the sheriff. The signature shall be  
24 given voluntarily upon a sworn oath that the person knows the

1 contents of the application and that the information contained in  
2 the application is true and correct. Any person making any false or  
3 misleading statement on an application for a handgun license shall,  
4 upon conviction, be guilty of perjury as defined by Section 491 of  
5 this title. Any conviction shall be punished as provided in Section  
6 500 of this title. In addition to a criminal conviction, the person  
7 shall be denied the right to have a handgun license pursuant to the  
8 provisions of Section 1290.10 of this title and the Oklahoma State  
9 Bureau of Investigation shall revoke the handgun license, if issued;

10 6. Two passport-size photographs of the applicant shall be  
11 submitted with the completed application. The cost of the  
12 photographs shall be the responsibility of the applicant. The  
13 sheriff is authorized to take the photograph of the applicant ~~for~~  
14 ~~purposes of the Oklahoma Self-Defense Act~~ and, if such photographs  
15 are taken by the sheriff, the cost of the photographs shall not  
16 exceed Ten Dollars (\$10.00) for the two photos. All money received  
17 by the sheriff from photographing applicants pursuant to the  
18 provisions of this paragraph shall be retained by the sheriff and  
19 deposited into the Sheriff's Service Fee Account;

20 7. The sheriff shall witness the signature of the applicant and  
21 review or take the photographs of the applicant and shall verify  
22 that the person making application for a handgun license is the same  
23 person in the photographs submitted and the same person who signed  
24 the application form. Proof of a valid Oklahoma driver license with

1 a photograph of the applicant or an Oklahoma state photo  
2 identification for the applicant shall be required to be presented  
3 by the applicant to the sheriff for verification of the person's  
4 identity;

5 8. Upon verification of the identity of the applicant, the  
6 sheriff shall take two complete sets of fingerprints of the  
7 applicant. Both sets of fingerprints shall be submitted by the  
8 sheriff with the completed application, certificate of training or  
9 an exemption certificate, photographs and processing fee to the  
10 Oklahoma State Bureau of Investigation within fourteen (14) days of  
11 taking the fingerprints. The cost of the fingerprints shall be paid  
12 by the applicant. The sheriff may charge a fee of up to Twenty-five  
13 Dollars (\$25.00) for the two sets of fingerprints. All fees  
14 collected by the sheriff from taking fingerprints pursuant to the  
15 provisions of this paragraph shall be retained by the sheriff and  
16 deposited into the Sheriff's Service Fee Account;

17 9. The sheriff shall submit to the Oklahoma State Bureau of  
18 Investigation within the fourteen-day period, together with the  
19 completed application, including the certificate of training,  
20 certificate of competency and qualification, photographs, processing  
21 fee and legible fingerprints meeting the Oklahoma State Bureau of  
22 Investigation's Automated Fingerprint Identification System (AFIS)  
23 submission standards, and a report of information deemed pertinent  
24 to an investigation of the applicant for a handgun license. The

1 sheriff shall make a preliminary investigation of pertinent  
2 information about the applicant and the court clerk shall assist the  
3 sheriff in locating pertinent information in court records for this  
4 purpose. If no pertinent information is found to exist either for  
5 or against the applicant, the sheriff shall so indicate in the  
6 report;

7 10. The Oklahoma State Bureau of Investigation, upon receipt of  
8 the application and required information from the sheriff, shall  
9 forward one full set of fingerprints of the applicant to the Federal  
10 Bureau of Investigation for a national criminal history records  
11 search. The cost of processing the fingerprints nationally shall be  
12 paid from the processing fee collected by the Oklahoma State Bureau  
13 of Investigation;

14 11. Notwithstanding the provisions of ~~the Oklahoma Self-Defense~~  
15 ~~Act~~ Sections 1290.2 through 1290.27 of this title, or any other  
16 provisions of law, any person who has been granted a permanent  
17 victim protective order by the court, as provided for in the  
18 Protection from Domestic Abuse Act, may be issued a temporary  
19 handgun license for a period not to exceed six (6) months. A  
20 temporary handgun license may be issued if the person has  
21 successfully passed the required weapons course, completed the  
22 application process for the handgun license, passed the preliminary  
23 investigation of the person by the sheriff and court clerk, and  
24 provided the sheriff proof of a certified permanent victim

1 protective order and a valid Oklahoma state photo identification  
2 card or driver license. The sheriff shall issue a temporary handgun  
3 license on a form approved by the Oklahoma State Bureau of  
4 Investigation, at no cost. Any person who has been issued a  
5 temporary license shall carry the temporary handgun license and a  
6 valid Oklahoma state photo identification on his or her person at  
7 all times, and shall be subject to all the requirements ~~of the~~  
8 ~~Oklahoma Self-Defense Act~~ provided for in Sections 1290.2 through  
9 1290.27 of this title when carrying a handgun. The person may  
10 proceed with the handgun licensing process. In the event the victim  
11 protective order is no longer enforceable, the temporary handgun  
12 license shall cease to be valid;

13 12. The Oklahoma State Bureau of Investigation shall make a  
14 reasonable effort to investigate the information submitted by the  
15 applicant and the sheriff, to ascertain whether or not the issuance  
16 of a handgun license would be in violation of the provisions of ~~the~~  
17 ~~Oklahoma Self-Defense Act~~ Section 1290.9, 1290.10 or 1290.11 of this  
18 title. The investigation by the Bureau of an applicant shall  
19 include, but shall not be limited to: a statewide criminal history  
20 records search, a national criminal history records search, a  
21 Federal Bureau of Investigation fingerprint search, a check of the  
22 National Instant Criminal Background Check System (NICS) and, if  
23 applicable, an investigation of medical records or other records or  
24 information deemed by the Bureau to be relevant to the application.

1 a. In the course of the investigation by the Bureau, it  
2 shall present the name of the applicant along with any  
3 known aliases, the address of the applicant and the  
4 Social Security number of the applicant to the  
5 Department of Mental Health and Substance Abuse  
6 Services. The Department of Mental Health and  
7 Substance Abuse Services shall respond within ten (10)  
8 days of receiving such information to the Bureau as  
9 follows:

10 (1) with a "Yes" answer, if the records of the  
11 Department indicate that the person was  
12 involuntarily committed to a mental institution  
13 in Oklahoma,

14 (2) with a "No" answer, if there are no records  
15 indicating the name of the person as a person  
16 involuntarily committed to a mental institution  
17 in Oklahoma, or

18 (3) with an "Inconclusive" answer if the records of  
19 the Department suggest the applicant may be a  
20 formerly committed person. In the case of an  
21 inconclusive answer, the Bureau shall ask the  
22 applicant whether he or she was involuntarily  
23 committed. If the applicant states under penalty  
24 of perjury that he or she has not been



1 involuntarily committed, the Bureau shall  
2 continue processing the application for a  
3 license.

4 b. In the course of the investigation by the Bureau, it  
5 shall check the name of any applicant who is twenty-  
6 eight (28) years of age or younger along with any  
7 known aliases, the address of the applicant and the  
8 Social Security number of the applicant against the  
9 records in the Juvenile Online Tracking System (JOLTS)  
10 of the Office of Juvenile Affairs. The Office of  
11 Juvenile Affairs shall provide the Bureau direct  
12 access to check the applicant against the records  
13 available on JOLTS:

- 14 (1) if the Bureau finds a record on ~~the~~ JOLTS that  
15 indicates the person was adjudicated a delinquent  
16 for an offense that would constitute a felony  
17 offense if committed by an adult within the last  
18 ten (10) years the Bureau shall deny the license,  
19 (2) if the Bureau finds no record on ~~the~~ JOLTS  
20 indicating the named person was adjudicated  
21 delinquent for an offense that would constitute a  
22 felony offense if committed by an adult within  
23 the last ten (10) years, the Bureau shall  
24

1                   continue processing the application for a  
2                   license, or

3                   (3) if the records suggest the applicant may have  
4                   been adjudicated delinquent for an offense that  
5                   would constitute a felony offense if committed by  
6                   an adult but such record is inconclusive, the  
7                   Bureau shall ask the applicant whether he or she  
8                   was adjudicated a delinquent for an offense that  
9                   would constitute a felony offense if committed by  
10                  an adult within the last ten (10) years. If the  
11                  applicant states under penalty of perjury that he  
12                  or she was not adjudicated a delinquent within  
13                  ten (10) years, the Bureau shall continue  
14                  processing the application for a license; and

15                  13. If the background check set forth in paragraph 12 of this  
16                  subsection reveals no records pertaining to the applicant, the  
17                  Oklahoma State Bureau of Investigation shall either issue a handgun  
18                  license or deny the application within sixty (60) days of the date  
19                  of receipt of the applicant's completed application and the required  
20                  information from the sheriff. In all other cases, the Oklahoma  
21                  State Bureau of Investigation shall either issue a handgun license  
22                  or deny the application within ninety (90) days of the date of the  
23                  receipt of the applicant's completed application and the required  
24                  information from the sheriff. The Bureau shall approve an applicant

1 who appears to be in full compliance with the provisions of ~~the~~  
2 ~~Oklahoma Self-Defense Act~~ Sections 1290.9, 1290.10 and 1290.11 of  
3 this title, if completion of the federal fingerprint search is the  
4 only reason for delay of the issuance of the handgun license to that  
5 applicant. Upon receipt of the federal fingerprint search  
6 information, if the Bureau receives information which precludes the  
7 person from having a handgun license, the Bureau shall revoke the  
8 handgun license previously issued to the applicant. The Bureau  
9 shall deny a license when the applicant fails to properly complete  
10 the application form or application process or is determined not to  
11 be eligible as specified by the provisions of Section 1290.9,  
12 1290.10 or 1290.11 of this title. The Bureau shall approve an  
13 application in all other cases. If an application is denied, the  
14 Bureau shall notify the applicant in writing of its decision. The  
15 notification shall state the grounds for the denial and inform the  
16 applicant of the right to an appeal as may be provided by the  
17 provisions of the Administrative Procedures Act. All notices of  
18 denial shall be mailed by first-class mail to the address of the  
19 applicant listed in the application. Within sixty (60) calendar  
20 days from the date of mailing a denial of application to an  
21 applicant, the applicant shall notify the Bureau in writing of the  
22 intent to appeal the decision of denial or the right of the  
23 applicant to appeal shall be deemed waived. Any administrative  
24 hearing on a denial which may be provided shall be conducted by a

1 hearing examiner appointed by the Bureau. The decision of the  
2 hearing examiner shall be a final decision appealable to a district  
3 court in accordance with the Administrative Procedures Act. When an  
4 application is approved, the Bureau shall issue the license and  
5 shall mail the license by first-class mail to the address of the  
6 applicant listed in the application.

7 B. Nothing contained in any provision of ~~the Oklahoma Self-~~  
8 ~~Defense Act~~ Sections 1290.2 through 1290.27 of this title shall be  
9 construed to require or authorize the registration, documentation or  
10 providing of serial numbers with regard to any firearm. For  
11 purposes of ~~the Oklahoma Self-Defense Act~~ handgun licensure, the  
12 sheriff may designate a person to receive, fingerprint, photograph  
13 or otherwise process applications for handgun licenses.

14 SECTION 44. AMENDATORY 21 O.S. 2011, Section 1290.13, as  
15 last amended by Section 1, Chapter 161, O.S.L. 2014 (21 O.S. Supp.  
16 2020, Section 1290.13), is amended to read as follows:

17 Section 1290.13

18 AUTOMATIC LISTING OF LICENSES

19 The Oklahoma State Bureau of Investigation shall maintain an  
20 automated listing of all persons issued a handgun license in this  
21 state pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~  
22 Sections 1290.2 through 1290.27 of this title and all subsequent  
23 suspended or revoked licenses. Information from the automated  
24 listing shall only be available to a law enforcement officer or law

1 enforcement agency upon request for law enforcement purposes. The  
2 Bureau shall also maintain for each applicant the original  
3 application or a copy of the original application form and any  
4 subsequent renewal application forms together with the photographs,  
5 fingerprints and other pertinent information on the applicant which  
6 shall be confidential, except to law enforcement officers or law  
7 enforcement agencies in the performance of their duties. The Bureau  
8 may release a copy of fingerprints of a deceased applicant  
9 maintained by the Bureau due to an application for a handgun license  
10 pursuant to ~~the Oklahoma Self-Defense Act~~ Section 1290.12 of this  
11 title. Provided, however, the Bureau may release a copy of  
12 fingerprints of a deceased applicant only to an immediate family  
13 member upon written request. Such request shall be accompanied by a  
14 payment of Fifteen Dollars (\$15.00), which shall be deposited into  
15 the OSBI Revolving Fund. For purposes of this section, "immediate  
16 family member" shall mean the spouse, a child by birth or adoption,  
17 a stepchild, a parent by birth or adoption, a stepparent, a  
18 grandparent, a grandchild, a sibling, a stepsibling or the spouse of  
19 any immediate family member. To facilitate the ~~Bureau's~~  
20 administration of issuing handgun licenses by the Oklahoma Self-  
21 Defense Act Bureau, all licensees shall maintain a current mailing  
22 address where the licensee may receive certified mail. The licensee  
23 shall within thirty (30) days of a change of name or address inform  
24 the Bureau of such change.

1 SECTION 45. AMENDATORY 21 O.S. 2011, Section 1290.14, as  
2 last amended by Section 2, Chapter 207, O.S.L. 2015 (21 O.S. Supp.  
3 2020, Section 1290.14), is amended to read as follows:

4 Section 1290.14

5 SAFETY AND TRAINING COURSE

6 A. Each applicant for a license to carry a concealed or  
7 unconcealed handgun ~~pursuant to the Oklahoma Self-Defense Act~~ must  
8 successfully complete a firearms safety and training course in this  
9 state conducted by a registered and approved firearms instructor as  
10 provided by the provisions of this section or from an interactive  
11 online firearms safety and training course available electronically  
12 via the Internet approved and certified by the Council on Law  
13 Enforcement Education and Training. The applicant must further  
14 demonstrate competence and qualification with an authorized pistol  
15 of the type or types that the applicant desires to carry as a  
16 concealed or unconcealed handgun ~~pursuant to the provisions of the~~  
17 ~~Oklahoma Self-Defense Act~~, except certain persons may be exempt from  
18 such training requirement as provided by the provisions of Section  
19 1290.15 of this title.

20 B. The Council on Law Enforcement Education and Training  
21 (CLEET) shall establish criteria for approving firearms instructors  
22 and interactive online firearms safety and training courses  
23 available electronically via the Internet for purposes of training  
24 and qualifying individuals for a handgun license pursuant to the

1 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
2 1290.27 of this title. Prior to submitting an application for CLEET  
3 approval as a firearms instructor, applicants shall attend a  
4 firearms instructor school, meeting the following minimum  
5 requirements:

6 1. Firearms instructor training conducted by one of the  
7 following entities:

- 8 a. Council on Law Enforcement Education and Training,
- 9 b. National Rifle Association,
- 10 c. Oklahoma Rifle Association,
- 11 d. federal law enforcement agencies, or
- 12 e. other professionally recognized organizations;

13 2. The course shall be at least sixteen (16) hours in length;

14 3. Upon completion of the course, the applicant shall be  
15 qualified to provide instruction on revolvers, semiautomatic  
16 pistols, or both; and

17 4. Receive a course completion certificate.

18 All firearms instructors shall be required to meet the  
19 eligibility requirements for a handgun license as provided in  
20 Sections 1290.9, 1290.10, and 1290.11 of this title and the  
21 application shall be processed as provided for applicants in Section  
22 1290.12 of this title, including the state and national criminal  
23 history records search and fingerprint search. A firearms  
24 instructor shall be required to pay a fee of One Hundred Dollars

1 (\$100.00) to the Council on Law Enforcement Education and Training  
2 (CLEET) each time the person makes application for CLEET approval as  
3 a firearms instructor ~~pursuant to the provisions of the Oklahoma~~  
4 ~~Self-Defense Act~~. The fee shall be retained by CLEET and shall be  
5 deposited into the Firearms Instructors Revolving Fund. CLEET shall  
6 promulgate the rules, forms and procedures necessary to implement  
7 the approval of firearms instructors as authorized by the provisions  
8 of this subsection. CLEET shall periodically review each approved  
9 instructor during a training and qualification course to assure  
10 compliance with the rules and course contents. Any violation of the  
11 rules may result in the revocation or suspension of CLEET and  
12 Oklahoma State Bureau of Investigation approval. Unless the  
13 approval has been revoked or suspended, a firearms instructor's  
14 CLEET approval shall be for a term of five (5) years. Beginning on  
15 July 1, 2003, any firearms instructor who has been issued a four-  
16 year CLEET approval shall not be eligible for the five-year approval  
17 until the expiration of the approval previously issued. CLEET shall  
18 be responsible for notifying all approved firearms instructors of  
19 statutory and policy changes related to ~~the Oklahoma Self-Defense~~  
20 ~~Act~~ handgun licenses. A firearms instructor shall not be required  
21 to submit his or her fingerprints for a fingerprint search when  
22 renewing a firearms instructor's CLEET approval.

23 C. 1. All firearms instructors approved by CLEET to train and  
24 qualify individuals for a handgun license shall be required to apply



1 for registration with the Oklahoma State Bureau of Investigation  
2 after receiving CLEET approval. All firearms instructors teaching  
3 the approved course for a handgun license must display their  
4 registration certificate during each training and qualification  
5 course. Each approved firearms instructor shall complete a  
6 registration form provided by the Bureau and shall have the option  
7 to pay a registration fee of either One Hundred Dollars (\$100.00)  
8 for a five-year registration certificate or Two Hundred Dollars  
9 (\$200.00) for a ten-year registration certificate to the Bureau at  
10 the time of each application for registration, except as provided in  
11 paragraph 2 of this subsection. Registration certificates issued by  
12 the Bureau shall be valid for a period of five (5) years or ten (10)  
13 years from the date of issuance. The Bureau shall issue a five-year  
14 or ten-year handgun license to an approved firearms instructor at  
15 the time of issuance of a registration certificate and no additional  
16 fee shall be required or charged. The Bureau shall maintain a  
17 current listing of all registered firearms instructors in this  
18 state. Nothing in this paragraph shall be construed to eliminate  
19 the requirement for registration and training with CLEET as provided  
20 in subsection B of this section. Failure to register or be trained  
21 as required shall result in a revocation or suspension of the  
22 instructor certificate by the Bureau.

23 2. On or after July 1, 2003, the registered instructors listed  
24 in subparagraphs a and b of this paragraph shall not be required to

1 renew the firearms instructor registration certificate with the  
2 Oklahoma State Bureau of Investigation at the expiration of the  
3 registration term, provided the instructor is not subject to any  
4 suspension or revocation of the firearms instructor certificate.

5 The firearms instructor registration with the Oklahoma State Bureau  
6 of Investigation shall automatically renew together with the handgun  
7 license authorized in paragraph 1 of this subsection for an  
8 additional five-year term and no additional cost or fee may be  
9 charged for the following individuals:

10 a. an active duty law enforcement officer of this state  
11 or any of its political subdivisions or of the federal  
12 government who has a valid CLEET approval as a  
13 firearms instructor pursuant to ~~the Oklahoma Self-~~  
14 ~~Defense Act~~ this section, and

15 b. a retired law enforcement officer authorized to carry  
16 a firearm pursuant to Section 1289.8 of this title who  
17 has a valid CLEET approval as a firearms instructor  
18 pursuant to ~~the Oklahoma Self-Defense Act~~ this  
19 section.

20 D. The Oklahoma State Bureau of Investigation shall approve  
21 registration for a firearms instructor applicant who is in full  
22 compliance with CLEET rules regarding firearms instructors and the  
23 provisions of subsection B of this section, if completion of the  
24 federal fingerprint search is the only reason for delay of

1 registration of that firearms instructor applicant. Upon receipt of  
2 the federal fingerprint search information, if the Bureau receives  
3 information which precludes the person from having a handgun  
4 license, the Bureau shall revoke both the registration and the  
5 handgun license previously issued to the firearms instructor.

6 E. The required firearms safety and training course and the  
7 actual demonstration of competency and qualification required of the  
8 applicant shall be designed and conducted in such a manner that the  
9 course can be reasonably completed by the applicant within an eight-  
10 hour period. CLEET shall establish the course content and  
11 promulgate rules, procedures and forms necessary to implement the  
12 provisions of this subsection. For the training and qualification  
13 course, an applicant may be charged a fee which shall be determined  
14 by the instructor or entity that is conducting the course. The  
15 maximum class size shall be determined by the instructor conducting  
16 the course; provided, however, practice shooting sessions shall not  
17 have more than ten participating students at one time. CLEET may  
18 establish criteria for assistant instructors and any other  
19 requirements deemed necessary to conduct a safe and effective  
20 training and qualification course. The course content shall include  
21 a safety inspection of the firearm to be used by the applicant in  
22 the training course; instruction on pistol handling, safety and  
23 storage; dynamics of ammunition and firing; methods or positions for  
24 firing a pistol; information about the criminal provisions of the

1 Oklahoma law relating to firearms; the requirements of ~~the Oklahoma~~  
2 ~~Self-Defense Act~~ Sections 1290.2 through 1290.27 of this title as it  
3 relates to the applicant; self-defense and the use of appropriate  
4 force; a practice shooting session; and a familiarization course.  
5 The firearms instructor shall refuse to train or qualify any person  
6 when the pistol to be used or carried by the person is either deemed  
7 unsafe or unfit for firing or is a weapon not authorized by ~~the~~  
8 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
9 title. The course shall provide an opportunity for the applicant to  
10 qualify himself or herself on either a derringer, a revolver, a  
11 semiautomatic pistol or any combination of a derringer, a revolver  
12 and a semiautomatic pistol, provided no pistol shall be capable of  
13 firing larger than .45 caliber ammunition. Any applicant who  
14 successfully trains and qualifies himself or herself with a  
15 semiautomatic pistol may be approved by the firearms instructor on  
16 the training certificate for a semiautomatic pistol, a revolver and  
17 a derringer upon request of the applicant. Any person who qualifies  
18 on a derringer or revolver shall not be eligible for a semiautomatic  
19 rating until the person has demonstrated competence and  
20 qualifications on a semiautomatic pistol. Upon successful  
21 completion of the training and qualification course, a certificate  
22 of training and a certificate of competency and qualification shall  
23 be issued to each applicant who successfully completes the course.  
24 The certificate of training and certificate of competency and

1 qualification shall comply with the forms established by CLEET and  
2 shall be submitted with an application for a handgun license  
3 pursuant to the provisions of paragraph 2 of subsection A of Section  
4 1290.12 of this title. The certificate of training and certificate  
5 of competency and qualification issued to an applicant shall be  
6 valid for a period of three (3) years.

7 F. There is hereby created a revolving fund for the Council on  
8 Law Enforcement Education and Training (CLEET), to be designated the  
9 "Firearms Instructors Revolving Fund". The fund shall be a  
10 continuing fund, not subject to fiscal year limitations, and shall  
11 consist of all funds received for approval of firearms instructors  
12 ~~for purposes of the Oklahoma Self-Defense Act~~ as provided in this  
13 section. All funds received shall be deposited to the fund. All  
14 monies accruing to the credit of said fund are hereby appropriated  
15 and may be budgeted and expended by the Council on Law Enforcement  
16 Education and Training, for implementation of the training and  
17 qualification course contents, approval of firearms instructors and  
18 any other CLEET requirement pursuant to the provisions of ~~the~~  
19 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
20 title or as may otherwise be deemed appropriate by CLEET.  
21 Expenditures from said fund shall be made upon warrants issued by  
22 the State Treasurer against claims filed as prescribed by law with  
23 the Director of the Office of Management and Enterprise Services for  
24 approval and payment.

1 G. Firearms instructors shall keep on file for a period of not  
2 less than three (3) years a roster of each training class, the  
3 safety test score of each individual, the caliber and type of weapon  
4 each individual used when qualifying and whether or not each  
5 individual successfully completed the training course. Firearms  
6 instructors shall be authorized to destroy all training documents  
7 and records upon expiration of the three-year time period.

8 SECTION 46. AMENDATORY 21 O.S. 2011, Section 1290.15, as  
9 last amended by Section 3, Chapter 298, O.S.L. 2017 (21 O.S. Supp.  
10 2020, Section 1290.15), is amended to read as follows:

11 Section 1290.15

12 PERSONS EXEMPT FROM TRAINING COURSE

13 A. The following individuals may be exempt from all or part of  
14 the required training and qualification course established pursuant  
15 to the provisions of Section 1290.14 of this title:

16 1. A firearms instructor registered with the Oklahoma State  
17 Bureau of Investigation ~~for purposes of the Oklahoma Self-Defense~~  
18 ~~Act~~ as provided in Section 1290.14 of this title;

19 2. An active duty or reserve duty law enforcement officer of  
20 this state or any of its political subdivisions or of the federal  
21 government;

22 3. A retired law enforcement officer authorized by this state  
23 pursuant to Section 1289.8 of this title to carry a firearm;

24

1           4. A Council on Law Enforcement Education and Training (CLEET)  
2 certified armed security officer, armed guard, correctional officer,  
3 or any other person having a CLEET certification to carry a firearm  
4 in the course of their employment;

5           5. A person on active military duty, National Guard duty or  
6 regular military reserve duty who is a legal resident of this state  
7 and who is trained and qualified in the use of handguns;

8           6. A person honorably discharged from active military duty,  
9 National Guard duty or military reserves within twenty (20) years  
10 preceding the date of the application for a handgun license pursuant  
11 to the provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2  
12 through 1290.27 of this title, who is a legal resident of this  
13 state, and who has been trained and qualified in the use of  
14 handguns;

15           7. A person retired as a peace officer in good standing from a  
16 law enforcement agency located in another state, who is a legal  
17 resident of this state, and who has received training equivalent to  
18 the training required for CLEET certification in this state; and

19           8. Any person who is otherwise deemed qualified for a training  
20 exemption by CLEET.

21           B. No person who is determined to be exempt from training or  
22 qualification may carry a concealed or unconcealed firearm ~~pursuant~~  
23 ~~to the authority of the Oklahoma Self-Defense Act~~ until issued a  
24 valid handgun license or possesses a valid military identification

1 card as provided for qualified persons in Section 1290.8 of this  
2 title.

3 C. Nothing contained in any provision of ~~the Oklahoma Self-~~  
4 ~~Defense Act~~ Sections 1290.2 through 1290.27 of this title shall be  
5 construed to alter, amend, or modify the authority of any active  
6 duty law enforcement officer, or any person certified by the Council  
7 on Law Enforcement Education and Training to carry a pistol during  
8 the course of their employment, to carry any pistol in any manner  
9 authorized by law or authorized by the employing agency.

10 SECTION 47. AMENDATORY 21 O.S. 2011, Section 1290.17, as  
11 amended by Section 36, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
12 Section 1290.17), is amended to read as follows:

13 Section 1290.17

14 SUSPENSION AND REVOCATION OF LICENSE

15 A. The Oklahoma State Bureau of Investigation shall have  
16 authority pursuant to the provisions of ~~the Oklahoma Self-Defense~~  
17 ~~Act~~ Sections 1290.2 through 1290.27 of this title and any other  
18 provision of law to suspend or revoke any handgun license issued  
19 pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~ Sections  
20 1290.2 through 1290.27 of this title. A person whose license has  
21 been suspended or revoked or against whom a fine has been assessed  
22 shall be entitled to an appeal through a hearing in accordance with  
23 the Administrative Procedures Act. Any administrative hearing on  
24 suspensions, revocations or fines shall be conducted by a hearing



1 examiner appointed by the Bureau. The hearing examiner's decision  
2 shall be a final decision appealable to a district court in  
3 accordance with the Administrative Procedures Act. After a handgun  
4 license has been issued, the discovery of or the occurrence of any  
5 condition which directly affects a person's eligibility for a  
6 handgun license as provided by the provisions of Section 1290.9 or  
7 1290.10 of this title shall require a revocation of the license by  
8 the Bureau. The discovery of or the occurrence of any condition  
9 pursuant to Section 1290.11 of this title, after a license has been  
10 issued, shall cause a suspension of the handgun license for a period  
11 of time as prescribed for the condition. Any provision of law that  
12 requires a revocation of a handgun license upon a conviction shall  
13 cause the Bureau to suspend the handgun license upon the discovery  
14 of the arrest of the person for such offense until a determination  
15 of the criminal case at which time the Bureau shall proceed with the  
16 appropriate administrative action. A licensee may voluntarily  
17 surrender a license to the Oklahoma State Bureau of Investigation at  
18 any time. Such surrender of a handgun license will render the  
19 license invalid. Nothing in this section may be interpreted to  
20 prevent a subsequent new application for a license. The licensee  
21 shall be informed and acknowledge in writing as follows:

- 22 1. The licensee understands that the voluntary surrender of the  
23 license will not be deemed a suspension or revocation by the Bureau;

24

1           2. A voluntary surrender of a license will not be reviewable by  
2 a hearing examiner or subject to judicial review under the  
3 Administrative Procedures Act; and

4           3. By surrendering the license, the licensee shall forfeit all  
5 fees paid to date.

6           B. Any handgun license which is subsequently suspended or  
7 revoked shall be immediately returned to the Oklahoma State Bureau  
8 of Investigation upon notification. Any person refusing or failing  
9 to return a license after notification of its suspension or  
10 revocation shall, upon conviction, be guilty of a misdemeanor  
11 punishable by a fine of not exceeding Five Hundred Dollars  
12 (\$500.00), by imprisonment in the county jail for not exceeding six  
13 (6) months, or by both such fine and imprisonment. In addition, the  
14 person shall be subject to an administrative fine of Five Hundred  
15 Dollars (\$500.00), upon a hearing and determination by the Bureau  
16 that the person is in violation of the provisions of this  
17 subsection.

18           C. Any law enforcement officer of this state shall confiscate a  
19 handgun license in the possession of any person and return it to the  
20 Oklahoma State Bureau of Investigation for appropriate  
21 administrative proceedings against the licensee when the license is  
22 no longer needed as evidence in any criminal proceeding, as follows:

23           1. Upon the arrest of the person for any felony offense;  
24

1           2. Upon the arrest of the person for any misdemeanor offense  
2 enumerated as a preclusion to a handgun license;

3           3. For any violation of the provisions of ~~the Oklahoma Self-~~  
4 ~~Defense Act~~ Sections 1290.2 through 1290.27 of this title;

5           4. When the officer has been called to assist or is  
6 investigating any situation which would be a preclusion to having a  
7 handgun license; or

8           5. As provided in subsection D of Section 1290.8 of this title.

9           D. Any administrative fine assessed in accordance with the  
10 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
11 1290.27 of this title shall be paid in full within thirty (30) days  
12 of assessment. The Oklahoma State Bureau of Investigation shall,  
13 without a hearing, suspend the handgun license of any person who  
14 fails to pay in full any administrative fine assessed against the  
15 person in accordance with the provisions of this subsection. The  
16 suspension of any handgun license shall be automatic and shall begin  
17 thirty (30) days from the date of the assessment of the  
18 administrative fine. The suspension shall be removed and the  
19 handgun license returned to its prior standing upon payment of the  
20 administrative fine being paid in full to the Bureau.

21           E. Whenever a handgun license has been suspended in accordance  
22 with the provisions of this act or the administrative rules of the  
23 Bureau promulgated for purposes of this act, the license shall  
24 remain under suspension and shall not be reinstated until:

1 1. The person whose license has been suspended applies for  
2 reinstatement in accordance with the administrative rules of the  
3 Bureau. The Bureau shall not charge any fee in conjunction with an  
4 application for a license reinstatement. The person whose license  
5 has been suspended must demonstrate that the condition or preclusion  
6 which was the basis for the suspension has lapsed and is no longer  
7 in effect; and

8 2. Any and all administrative fines assessed against the person  
9 have been paid in full.

10 In the event a handgun license expires during the term of the  
11 suspension, the person shall be required to apply for renewal of the  
12 license in accordance with Section 1290.5 of this title.

13 SECTION 48. AMENDATORY 21 O.S. 2011, Section 1290.18, as  
14 last amended by Section 1, Chapter 200, O.S.L. 2015 (21 O.S. Supp.  
15 2020, Section 1290.18), is amended to read as follows:

16 Section 1290.18

17 APPLICATION FORM CONTENTS

18 The application shall be completed upon the sworn oath of the  
19 applicant as provided in paragraph 5 of Section 1290.12 of this  
20 title. The application form shall be provided by the Oklahoma State  
21 Bureau of Investigation and shall contain the following information  
22 in addition to any other information deemed relevant by the Bureau:

- 23 1. Applicant's full legal name;  
24 2. Applicant's birth name, alias names or nicknames;

- 1 3. ~~Maiden~~ Applicant's maiden name, if applicable;
- 2 4. County of residence;
- 3 5. Length of residency at the current address;
- 4 6. Previous addresses for the preceding three (3) years;
- 5 7. Place of birth;
- 6 8. Date of birth;
- 7 9. Declaration of citizenship and date United States
- 8 citizenship was acquired, if applicable;
- 9 10. Race;
- 10 11. Weight;
- 11 12. Height;
- 12 13. Sex;
- 13 14. Color of eyes;
- 14 15. Current driver license number;
- 15 16. Military service number, if applicable;
- 16 17. Law enforcement identification numbers, if applicable;
- 17 18. Current occupation;
- 18 19. Authorized type or types of pistol for which the applicant
- 19 qualified as stated on the certificate of training or exemption of
- 20 training which shall be stated as either derringer, revolver,
- 21 semiautomatic pistol, or some combination of derringer, revolver and
- 22 semiautomatic pistol and the maximum ammunition capacity of the
- 23 firearm shall be .45 caliber;
- 24

1       20. An acknowledgment that the applicant desires a handgun  
2 license as a means of lawful self-defense and self-protection and  
3 for no other intent or purpose;

4       21. A statement that the applicant has never been convicted of  
5 any felony offense in this state, another state or pursuant to any  
6 federal offense;

7       22. A statement that the applicant has none of the conditions  
8 which would preclude the issuing of a handgun license pursuant to  
9 any of the provisions of Sections 1290.10 and 1290.11 of this title  
10 and that the applicant further meets all of the eligibility criteria  
11 required by Section 1290.9 of this title;

12       23. An authorization for the Oklahoma State Bureau of  
13 Investigation to investigate the applicant and any or all records  
14 relating to the applicant for purposes of approving or denying a  
15 handgun license pursuant to the provisions of ~~the Oklahoma Self-~~  
16 ~~Defense Act~~ Sections 1290.2 through 1290.27 of this title;

17       24. An acknowledgment that the applicant has been furnished a  
18 copy of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
19 1290.27 of this title and is knowledgeable about its provisions;

20       25. A statement that the applicant is the identical person who  
21 completed the firearms training course for which the original  
22 training certificate is submitted as part of the application or a  
23 statement that the applicant is the identical person who is exempt  
24 from firearms training for which the original exemption certificate

1 is submitted as part of the application, whichever is applicable to  
2 the applicant;

3 26. A conspicuous warning that the application is executed upon  
4 the sworn oath of the applicant and that any false or misleading  
5 answer to any question or the submission of any false information or  
6 documentation by the applicant is punishable by criminal penalty as  
7 provided in paragraph 5 of Section 1290.12 of this title;

8 27. A signed verification that the contents of the application  
9 are known to the applicant and are true and correct;

10 28. Two separate places for the original signature of the  
11 applicant;

12 29. A place for attachment of a passport size photograph of the  
13 applicant; and

14 30. A place for the signature and verification of the identity  
15 of the applicant by the sheriff or the sheriff's designee.

16 Information provided by the person on an application for a  
17 handgun license shall be confidential except to law enforcement  
18 officers or law enforcement agencies.

19 SECTION 49. AMENDATORY 21 O.S. 2011, Section 1290.19, as  
20 amended by Section 38, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
21 Section 1290.19), is amended to read as follows:

22 Section 1290.19

23 LICENSE FORM

24

1 The handgun license shall be on a form prescribed by the  
2 Oklahoma State Bureau of Investigation and shall contain the  
3 following information in addition to any other information deemed  
4 relevant by the Bureau:

- 5 1. The full name of the person;
- 6 2. Current address;
- 7 3. County of residence;
- 8 4. Date of birth;
- 9 5. Weight;
- 10 6. Height;
- 11 7. Sex;
- 12 8. Race;
- 13 9. Color of eyes;
- 14 10. Handgun license identification number;
- 15 11. Expiration date of the handgun license; and
- 16 12. Authorized pistol to be either: (D) derringer, (R)  
17 revolver, (S) semiautomatic pistol, or some combination of  
18 derringer, revolver and semiautomatic pistol ~~as may be authorized by~~  
19 ~~the Oklahoma Self-Defense Act~~ for which the person demonstrated  
20 qualification pursuant to the certificate of training or an  
21 exemption certificate.

22 SECTION 50. AMENDATORY 21 O.S. 2011, Section 1290.20, as  
23 amended by Section 39, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
24 Section 1290.20), is amended to read as follows:



1 Section 1290.20

2 PENALTY FOR REFUSAL TO SUBMIT OR FALSIFICATION

3 It shall be unlawful for any sheriff or designee to fail or  
4 refuse to accept an application for a handgun license as authorized  
5 by the provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2  
6 through 1290.27 of this title or to fail or refuse to process or  
7 submit the completed application to the Oklahoma State Bureau of  
8 Investigation within the time prescribed by paragraph 8 of Section  
9 1290.12 of this title, or to falsify or knowingly allow any person  
10 to falsify any information, documentation, fingerprint or photograph  
11 submitted with a handgun application. Any violation shall, upon  
12 conviction, be a misdemeanor. There is a presumption that the  
13 sheriff has acted in good faith to comply with the provisions of ~~the~~  
14 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
15 title and any alleged violation of the provisions of this section  
16 shall require proof beyond a reasonable doubt.

17 SECTION 51. AMENDATORY 21 O.S. 2011, Section 1290.21, as  
18 last amended by Section 6, Chapter 366, O.S.L. 2013 (21 O.S. Supp.  
19 2020, Section 1290.21), is amended to read as follows:

20 Section 1290.21

21 REPLACEMENT LICENSE

22 A. In the event a handgun license becomes missing, lost, stolen  
23 or destroyed, the license shall be invalid, and the person to whom  
24 the license was issued shall notify the Oklahoma State Bureau of

1 Investigation within thirty (30) days of the discovery of the fact  
2 that the license is not in the possession of the licensee. The  
3 person may obtain a substitute license upon furnishing a notarized  
4 statement to the Bureau that the license is missing, lost, stolen or  
5 destroyed and paying a fifteen-dollar replacement fee. During any  
6 period when a license is missing, lost, stolen or destroyed, the  
7 person shall have no authority to carry a concealed or unconcealed  
8 handgun pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~  
9 Sections 1290.2 through 1290.27 of this title. The Bureau shall,  
10 upon receipt of the notarized statement and fee from the licensee,  
11 issue a substitute license with the same expiration date within ten  
12 (10) days of the receipt of the notarized statement and fee.

13 B. Any person who knowingly or intentionally carries a  
14 concealed or unconcealed handgun pursuant to a handgun license  
15 authorized and issued pursuant to the provisions of ~~the Oklahoma~~  
16 ~~Self-Defense Act~~ Sections 1290.2 through 1290.27 of this title which  
17 is stolen shall, upon conviction, be guilty of a felony punishable  
18 by a fine of Five Thousand Dollars (\$5,000.00).

19 C. Any person having a valid handgun license pursuant to the  
20 ~~Oklahoma Self-Defense Act~~ provisions of Sections 1290.2 through  
21 1290.27 of this title may carry any make or model of an authorized  
22 pistol listed on the license, provided the type of pistol shall not  
23 be other than the type or types listed on the license. A person may  
24 complete additional firearms training for an additional type of

1 pistol during any license period and upon successful completion of  
2 the training may request the additional type of pistol be included  
3 on the license. The person shall submit to the Bureau a fifteen-  
4 dollar replacement fee, the original certificate of training and  
5 qualification for the additional type of firearm, and a statement  
6 requesting the license be updated to include the additional type of  
7 pistol. The Bureau shall issue an updated license with the same  
8 expiration date within ten (10) days of the receipt of the request.  
9 The person shall have no authority to carry any additional type of  
10 pistol pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~  
11 Sections 1290.2 through 1290.27 of this title until the updated  
12 license has been received by the licensee. The original license  
13 shall be destroyed upon receipt of an updated handgun license.

14 D. A person may request during any license period an update for  
15 a change of address or change of name by submitting to the Bureau a  
16 fifteen-dollar replacement fee, and a notarized statement that the  
17 address or name of the licensee has changed. The Bureau shall issue  
18 an updated license with the same expiration date within ten (10)  
19 days of receipt of the request. The original license shall be  
20 destroyed upon the receipt of the updated handgun license.

21 SECTION 52. AMENDATORY 21 O.S. 2011, Section 1290.22, as  
22 last amended by Section 12, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
23 2020, Section 1290.22), is amended to read as follows:

24 Section 1290.22

BUSINESS OWNER'S RIGHTS

A. Except as provided in subsections B, C and D of this section, nothing contained in any provision of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this title shall be construed to limit, restrict or prohibit in any manner the existing rights of any person, property owner, tenant, employer, place of worship or business entity to control the possession of weapons on any property owned or controlled by the person or business entity.

B. No person, property owner, tenant, employer, holder of an event permit, place of worship or business entity shall be permitted to establish any policy or rule that has the effect of prohibiting any person, except a convicted felon, from transporting and storing firearms in a locked vehicle on any property set aside for any vehicle.

C. A property owner, tenant, employer, place of worship or business entity may prohibit any person from carrying a concealed or unconcealed firearm on the property. If the building or property is open to the public, the property owner, tenant, employer, place of worship or business entity shall post signs on or about the property stating such prohibition.

D. No person, property owner, tenant, employer, holder of an event permit, place of worship or business entity shall be permitted to establish any policy or rule that has the effect of prohibiting any person from carrying a concealed or unconcealed firearm on

1 property within the specific exclusion provided for in paragraph 4  
2 of subsection B of Section 1277 of this title; provided that  
3 carrying a concealed or unconcealed firearm may be prohibited in the  
4 following places:

5 1. The portion of a public property structure or building  
6 during an event authorized by the city, town, county, state or  
7 federal governmental authority owning or controlling such building  
8 or structure;

9 2. Any public property sports field, including any adjacent  
10 seating or adjacent area set aside for viewing a sporting event,  
11 where an elementary or secondary school, collegiate, or professional  
12 sporting event or an International Olympic Committee or organization  
13 or any committee subordinate to the International Olympic Committee  
14 event is being held;

15 3. The fairgrounds during the Oklahoma State Fair or the Tulsa  
16 State Fair; and

17 4. The portion of a public property structure or building that  
18 is leased or under contract to a business or not-for-profit entity  
19 or group for offices.

20 E. The otherwise lawful carrying of a concealed or unconcealed  
21 firearm by a person on property that has signs prohibiting the  
22 carrying of firearms shall subject the person to being denied  
23 entrance onto the property or removed from the property. If the  
24 person:

1        1. Has been informed by the property owner, business entity or  
2 manager of the business that the person is in violation of a policy  
3 that prohibits firearms on the property; and

4        2. Refuses to leave the property and a peace officer is  
5 summoned,  
6 the person may be punished as provided in Section 1276 of this  
7 title.

8        F. A person, property owner, tenant, employer, holder of an  
9 event permit, place of worship or business entity that does or does  
10 not prohibit any individual, except a convicted felon, from carrying  
11 a loaded or unloaded, concealed or unconcealed weapon on property  
12 that the person, property owner, tenant, employer, holder of an  
13 event permit, place of worship or business entity owns, or has legal  
14 control of, is immune from any liability arising from that decision.  
15 Except for acts of gross negligence or willful or wanton misconduct,  
16 an employer who does or does not prohibit his or her employees from  
17 carrying a concealed or unconcealed weapon is immune from any  
18 liability arising from that decision. A person, property owner,  
19 tenant, employer, holder of an event permit, place of worship or  
20 business entity that does not prohibit persons from carrying a  
21 concealed or unconcealed weapon pursuant to subsection D of this  
22 section shall be immune from any liability arising from the carrying  
23 of a concealed or unconcealed weapon, while in the scope of  
24 employment, on the property or in or about a business entity

1 vehicle. The provisions of this subsection shall not apply to  
2 claims pursuant to the Administrative Workers' Compensation Act.

3 G. It shall not be considered part of an employee's job  
4 description or within the employee's scope of employment if an  
5 employee is allowed to carry or discharge a weapon pursuant to this  
6 section.

7 H. Nothing in subsections F and G of this section shall prevent  
8 an employer, employee or person who has suffered loss resulting from  
9 the discharge of a weapon to seek redress or damages of the person  
10 who discharged the weapon or used the weapon outside the provisions  
11 of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of  
12 this title.

13 SECTION 53. AMENDATORY 21 O.S. 2011, Section 1290.23, as  
14 amended by Section 41, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
15 Section 1290.23), is amended to read as follows:

16 Section 1290.23

17 DEPOSIT OF FEES BY OSBI

18 All money submitted by the sheriffs to the Oklahoma State Bureau  
19 of Investigation as processing fees for applications submitted for  
20 handgun licenses shall be deposited in the Oklahoma State Bureau of  
21 Investigation Revolving Fund and shall be expended for purposes of  
22 implementing the provisions of ~~the Oklahoma Self-Defense Act~~  
23 Sections 1290.2 through 1290.27 of this title or as otherwise  
24 provided by law.

1 SECTION 54. AMENDATORY 21 O.S. 2011, Section 1290.24, as  
2 last amended by Section 13, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
3 2020, Section 1290.24), is amended to read as follows:

4 Section 1290.24

5 IMMUNITY

6 A. The state or any political subdivision of the state, as  
7 defined in Section 152 of Title 51 of the Oklahoma Statutes, and its  
8 officers, agents and employees shall be immune from liability  
9 resulting or arising from:

10 1. Failure to prevent the licensing of an individual for whom  
11 the receipt of the license is unlawful pursuant to the provisions of  
12 ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of  
13 this title or any other provision of law of this state;

14 2. Any action or misconduct with a firearm committed by a  
15 person pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~  
16 Sections 1290.2 through 1290.27 of this title or by any person who  
17 obtains a firearm;

18 3. Any injury to any person during a handgun training course  
19 conducted by a firearms instructor certified by the Council on Law  
20 Enforcement Education and Training to conduct training under the  
21 ~~Oklahoma Self-Defense Act~~ provisions of Section 1290.14 of this  
22 title, or injury from any misfire or malfunction of any handgun on a  
23 training course firing range supervised by a certified firearms  
24 instructor under the provisions of ~~the Oklahoma Self-Defense Act~~



1 Section 1290.14 of this title, or any injury resulting from carrying  
2 a concealed or unconcealed handgun pursuant to a handgun license;  
3 and

4 4. Any action or finding pursuant to a hearing conducted in  
5 accordance with the Administrative Procedures Act as required in ~~the~~  
6 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
7 title.

8 B. Firearms instructors certified by the Council on Law  
9 Enforcement Education and Training to conduct training for ~~the~~  
10 ~~Oklahoma Self-Defense Act~~ handgun licenses shall be immune from  
11 liability to third persons resulting or arising from any claim based  
12 on an act or omission of a trainee.

13 C. The provisions of this subsection shall not apply to claims  
14 pursuant to the Administrative Workers' Compensation Act.

15 SECTION 55. AMENDATORY 21 O.S. 2011, Section 1290.25, as  
16 amended by Section 43, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
17 Section 1290.25), is amended to read as follows:

18 Section 1290.25

19 LEGISLATIVE INTENT

20 The Legislature finds as a matter of public policy and fact that  
21 it is necessary to provide statewide uniform standards for issuing  
22 licenses to carry concealed or unconcealed handguns for lawful self-  
23 defense and self-protection, and further finds it necessary to  
24 occupy the field of regulation of the bearing of concealed or

1 unconcealed handguns to ensure that no honest, law-abiding citizen  
2 who qualifies pursuant to the provisions of ~~the Oklahoma Self-~~  
3 ~~Defense Act~~ Sections 1290.2 through 1290.27 of this title is  
4 subjectively or arbitrarily denied his or her rights. The  
5 Legislature does not delegate to the Oklahoma State Bureau of  
6 Investigation any authority to regulate or restrict the issuing of  
7 handgun licenses except as provided by the provisions of this act.  
8 Subjective or arbitrary actions or rules which encumber the issuing  
9 process by placing burdens on the applicant beyond those  
10 requirements detailed in the provisions of ~~the Oklahoma Self-Defense~~  
11 ~~Act~~ Sections 1290.2 through 1290.27 of this title or which create  
12 restrictions beyond those specified in this act are deemed to be in  
13 conflict with the intent of this act and are hereby prohibited. ~~The~~  
14 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of this  
15 title shall be liberally construed to carry out the constitutional  
16 right to bear arms for self-defense and self-protection. The  
17 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
18 1290.27 of this title are cumulative to existing rights to bear arms  
19 and nothing in ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
20 1290.27 of this title shall impair or diminish those rights.

21 However, the conditions that mandate the administrative actions  
22 of license denial, suspension, revocation or an administrative fine  
23 are intended to protect the health, safety and public welfare of the  
24 citizens of this state. The restricting conditions specified in ~~the~~

1 ~~Oklahoma Self-Defense Act~~ Sections 1290.9, 1290.10 and 1290.11 of  
2 this title generally involve the criminal history, mental state,  
3 alcohol or substance abuse of the applicant or licensee, a hazard of  
4 domestic violence, a danger to police officers, or the ability of  
5 the Oklahoma State Bureau of Investigation to properly administer  
6 ~~the Oklahoma Self-Defense Act~~ handgun licenses. The restricting  
7 conditions that establish a risk of injury or harm to the public are  
8 tailored to reduce the risks to the benefit of the citizens of this  
9 state.

10 SECTION 56. AMENDATORY 21 O.S. 2011, Section 1290.26, as  
11 last amended by Section 4, Chapter 298, O.S.L. 2017 (21 O.S. Supp.  
12 2020, Section 1290.26), is amended to read as follows:

13 Section 1290.26

14 RECIPROCAL AGREEMENT AUTHORITY

15 The State of Oklahoma hereby recognizes any valid concealed or  
16 unconcealed carry weapons permit, valid military identification card  
17 as provided for qualified persons in Section 1290.8 of this title or  
18 license issued by another state, or if the state is a nonpermitting  
19 carry state, this state shall reciprocate under the permitting law  
20 of that state.

21 A. Any person entering this state in possession of a firearm  
22 authorized for concealed or unconcealed carry upon the authority and  
23 license of another state or a valid military identification card as  
24 provided for qualified persons in Section 1290.8 of this title is

1 authorized to continue to carry a concealed or unconcealed firearm  
2 and license in this state; provided the license from the other state  
3 or valid military identification card as provided for qualified  
4 persons in Section 1290.8 of this title remains valid. The firearm  
5 must either be carried unconcealed or concealed, and upon coming in  
6 contact with any peace officer of this state, the person must  
7 disclose the fact that he or she is in possession of a concealed or  
8 unconcealed firearm pursuant to a valid concealed or unconcealed  
9 carry weapons permit, license or a valid military identification  
10 card as provided for qualified persons in Section 1290.8 of this  
11 title issued in another state.

12 B. Any person entering this state in possession of a firearm  
13 authorized for concealed carry ~~upon the~~ pursuant to the authority of  
14 a his or her home state that ~~is a nonpermitted carry state~~ does not  
15 require a permit and the person is in compliance with ~~the Oklahoma~~  
16 ~~Self-Defense Act~~ Sections 1290.2 through 1290.27 of this title, the  
17 person is authorized to carry a concealed or unconcealed firearm in  
18 this state. The firearm must be carried fully concealed, ~~or~~  
19 unconcealed, and upon coming in contact with any peace officer of  
20 this state, the person must disclose the fact that he or she is in  
21 possession of a concealed or unconcealed firearm pursuant to the  
22 nonpermitting laws of the state in which he or she is a legal  
23 resident. The person shall present proper identification by a valid  
24 photo ID as proof that he or she is a legal resident in such a ~~non-~~

1 ~~permitting~~ nonpermitting state. The Department of Public Safety  
2 shall keep a current list of nonpermitting states for law  
3 enforcement officers to confirm that a state is nonpermitting.

4 C. Any person who is twenty-one (21) years of age or older  
5 having a valid firearm license from another state may apply for a  
6 handgun license in this state immediately upon establishing a  
7 residence in this state.

8 SECTION 57. AMENDATORY 21 O.S. 2011, Section 1364, as  
9 amended by Section 45, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
10 Section 1364), is amended to read as follows:

11 Section 1364.

12 DISCHARGING FIREARM

13 Every person who willfully discharges any pistol, rifle,  
14 shotgun, airgun or other weapon, or throws any other missile in any  
15 public place, or in any place where there is any person to be  
16 endangered thereby, although no injury to any person shall ensue, is  
17 guilty of a misdemeanor. Any person convicted of a violation of the  
18 provisions of this section after having been issued a handgun  
19 license pursuant to the provisions of ~~the Oklahoma Self-Defense Act~~  
20 Sections 1290.2 through 1290.27 of this title shall have the license  
21 suspended for a period of six (6) months and shall be subject to an  
22 administrative fine of Fifty Dollars (\$50.00), upon a hearing and  
23 determination by the Oklahoma State Bureau of Investigation that the  
24 person is in violation of the provisions of this section.

1 SECTION 58. AMENDATORY 21 O.S. 2011, Section 1902, as  
2 amended by Section 1, Chapter 314, O.S.L. 2017 (21 O.S. Supp. 2020,  
3 Section 1902), is amended to read as follows:

4 Section 1902. As used in the Bus Passenger Safety Act:

5 1. "Bus" means a vehicle designed to carry passengers that is  
6 part of a network of passenger vehicles for use by the public,  
7 running on a regular schedule of routes, times and fares;

8 2. "Bus transportation company" or "company" means any person  
9 or governmental entity providing for-hire transport to passengers or  
10 cargo by bus upon the roads, streets, highways and turnpikes of this  
11 state;

12 3. "Deadly or dangerous weapon" includes all weapons listed in  
13 Section 1287 of this title, and any other weapon capable of  
14 inflicting serious bodily injury, except for a weapon carried for  
15 lawful self-defense in compliance ~~under~~ with the ~~Oklahoma Self-~~  
16 ~~Defense Act~~ provisions of Sections 1290.2 through 1290.27 of this  
17 title;

18 4. "Passenger" means any person served by the bus  
19 transportation company; and

20 5. "Terminal" means a bus station or depot or any facility  
21 operated or leased by or operated on behalf of a bus transportation  
22 company. This term shall include a reasonable area immediately  
23 adjacent to any designated stop along the route traveled by any bus  
24

1 operated by a bus transportation company and parking lots or parking  
2 areas adjacent to a terminal.

3 SECTION 59. AMENDATORY 57 O.S. 2011, Section 21, as last  
4 amended by Section 2, Chapter 226, O.S.L. 2015 (57 O.S. Supp. 2020,  
5 Section 21), is amended to read as follows:

6 Section 21. A. Any person who, without authority, brings into  
7 or has in his or her possession in any jail or state penal  
8 institution or other place where prisoners are located, any gun,  
9 knife, bomb or other dangerous instrument, any controlled dangerous  
10 substance as defined by Section 2-101 et seq. of Title 63 of the  
11 Oklahoma Statutes, any ~~intoxicating~~ alcoholic beverage or low-point  
12 beer as defined by ~~Sections 163.1 and 163.2~~ Section 1-103 of Title  
13 ~~37~~ 37A of the Oklahoma Statutes, money or financial documents for a  
14 person other than the inmate or a spouse of the inmate, including  
15 but not limited to tax returns, shall be guilty of a felony and,  
16 upon conviction, shall be punished by imprisonment in the custody of  
17 the Department of Corrections for a term of not less than one (1)  
18 year nor more than five (5) years, or by a fine of not less than One  
19 Hundred Dollars (\$100.00) nor more than One Thousand Dollars  
20 (\$1,000.00), or by both such fine and imprisonment. Provided, the  
21 provisions of this subsection shall not prohibit any Department of  
22 Corrections employee who has a valid handgun license pursuant to ~~the~~  
23 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of Title  
24 21 of the Oklahoma Statutes to keep a firearm in a vehicle on any

1 property set aside for the parking of any vehicle, whether occupied  
2 or unoccupied, at any state-owned prison facility, provided the  
3 employee has provided annual notification to the Department of  
4 Corrections of the brand name, model, serial number, and owner  
5 identification information of the firearm, and the firearm is  
6 secured and stored in a locked metal storage container located in a  
7 locked vehicle. The storage container will be secured in the  
8 vehicle by a lockable chain or cable or by utilizing hardware  
9 provided by the manufacturer.

10 B. If an inmate is found to be in possession of any item  
11 prohibited by this section, upon conviction, such inmate shall be  
12 guilty of a felony and shall be punished by imprisonment for a term  
13 of not less than five (5) years nor more than twenty (20) years in  
14 the custody of the Department of Corrections.

15 C. If the person found to be in possession of any item  
16 prohibited by this section has committed, prior to the commission of  
17 an offense in violation of this section, two or more felony  
18 offenses, and the possession of contraband in violation of this  
19 section is within ten (10) years of the completion of the execution  
20 of the sentence for any prior offense, such person, upon conviction,  
21 shall be guilty of a felony and shall be punished by imprisonment in  
22 the custody of the Department of Corrections for a term of not less  
23 than twenty (20) years. Felony offenses relied upon shall not have  
24



1 arisen out of the same transaction or occurrence or series of events  
2 closely related in time and location.

3 D. Any person who, without authority, brings into or has in his  
4 or her possession in any jail or state penal institution or other  
5 place where prisoners are located, cigarettes, cigars, snuff,  
6 chewing tobacco or any other form of tobacco product shall, upon  
7 conviction, be guilty of a misdemeanor punishable by imprisonment in  
8 the county jail not to exceed one (1) year, or by a fine not  
9 exceeding Five Hundred Dollars (\$500.00), or by both such fine and  
10 imprisonment.

11 E. Any person who knowingly, willfully and without authority  
12 brings into or has in his or her possession in any secure area of a  
13 jail or state penal institution or other secure place where  
14 prisoners are located any cellular phone or electronic device  
15 capable of sending or receiving any electronic communication shall,  
16 upon conviction, be guilty of a felony punishable by imprisonment in  
17 the custody of the Department of Corrections for a term not  
18 exceeding two (2) years, or by a fine not exceeding Two Thousand  
19 Five Hundred Dollars (\$2,500.00), or by both such fine and  
20 imprisonment.

21 F. Any electronic communication device which has no  
22 identifiable owner and which is seized as a result of a violation of  
23 this section may be disposed of or sold by the agency that seized  
24 the device.

1 G. "Electronic communication" means any transfer of signs,  
2 signals, writings, images, sounds, data or intelligence of any  
3 nature transmitted in whole or part by a wire, radio,  
4 electromagnetic, photo-electronic or photo-optical system, and  
5 includes, but is not limited to, the transfer of that communication  
6 through the Internet.

7 SECTION 60. AMENDATORY Section 3, Chapter 407, O.S.L.  
8 2013, as amended by Section 2, Chapter 373, O.S.L. 2014 (59 O.S.  
9 Supp. 2020, Section 1350.2), is amended to read as follows:

10 Section 1350.2 A. On and after February 1, 2015, no person  
11 shall act or engage in, solicit or offer services, or represent  
12 himself or herself, as a bail enforcer as defined by the Bail  
13 Enforcement and Licensing Act without first having been issued a  
14 valid license by the Council on Law Enforcement Education and  
15 Training.

16 B. On or after February 1, 2015, any person who shall act or  
17 engage in, solicit or offer services, or represent himself or  
18 herself, as a bail enforcer without a valid license issued by the  
19 Council shall be guilty of a felony, upon conviction, punishable by  
20 a fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00),  
21 or by imprisonment in the custody of the Department of Corrections  
22 for a term of not more than three (3) years, or by both such fine  
23 and imprisonment.

24

1 C. Any person violating the provisions of subsection B of this  
2 section while having in his or her possession or under his or her  
3 control any firearm or weapon, including a firearm under the  
4 authority of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
5 1290.27 of Title 21 of the Oklahoma Statutes, shall be punished,  
6 upon conviction, by an additional fine in an amount not exceeding  
7 Five Thousand Dollars (\$5,000.00), or by an additional term of  
8 imprisonment up to three (3) years, or by both such fine and  
9 imprisonment. In addition, the authority to carry the firearm may  
10 be permanently revoked by the issuing authority.

11 SECTION 61. AMENDATORY 63 O.S. 2011, Section 2-110, as  
12 amended by Section 46, Chapter 259, O.S.L. 2012 (63 O.S. Supp. 2020,  
13 Section 2-110), is amended to read as follows:

14 Section 2-110. The Director of the Oklahoma State Bureau of  
15 Narcotics and Dangerous Drugs Control may employ attorneys, who  
16 shall be unclassified employees of the state, or contract with  
17 attorneys, as needed. These attorneys may advise the Director, the  
18 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control  
19 Commission and Bureau personnel on all legal matters and shall  
20 appear for and represent the Director, the Commission and Bureau  
21 personnel in all administrative hearings and all litigation or other  
22 proceedings which may arise in the discharge of their duties. At  
23 the request of the Oklahoma State Bureau of Narcotics and Dangerous  
24 Drugs Control Commission, such attorney shall assist the district

1 attorney in prosecuting charges of violators of the Uniform  
2 Controlled Dangerous Substances Act or any felony relating to or  
3 arising from a violation of the Uniform Controlled Dangerous  
4 Substances Act. Attorneys for the Bureau who have been certified by  
5 the Council on Law Enforcement Education and Training to carry a  
6 weapon or have been issued a handgun license pursuant to the  
7 provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2 through  
8 1290.27 of Title 21 of the Oklahoma Statutes shall be allowed to  
9 carry weapons pursuant to paragraph 3 of subsection A of Section  
10 1272 of Title 21 of the Oklahoma Statutes. These attorneys,  
11 pursuant to this provision, shall not be considered eligible to  
12 participate in the Oklahoma Law Enforcement Retirement System. If a  
13 conflict of interest would be created by such attorney representing  
14 the Director, the Commission or Bureau personnel, additional counsel  
15 may be hired upon approval of the Oklahoma State Bureau of Narcotics  
16 and Dangerous Drugs Control Commission.

17 SECTION 62. AMENDATORY 63 O.S. 2011, Section 4210.3, as  
18 amended by Section 47, Chapter 259, O.S.L. 2012 (63 O.S. Supp. 2020,  
19 Section 4210.3), is amended to read as follows:

20 Section 4210.3 It shall be unlawful to transport a shotgun,  
21 rifle or pistol in or to discharge such weapons from a vessel,  
22 except for the purposes of hunting animals or fowl, and in  
23 compliance with existing state and federal laws. Anyone violating  
24 the provisions of this section, upon conviction, shall be guilty of

1 a misdemeanor and shall be punished by a fine of not less than Fifty  
2 Dollars (\$50.00) and not more than One Hundred Dollars (\$100.00), or  
3 by imprisonment in the county jail for not less than ten (10) days  
4 and not more than six (6) months, or by both such fine and  
5 imprisonment. Any person in possession of a valid handgun license  
6 from this state or a reciprocal state authorized by ~~the Oklahoma~~  
7 ~~Self-Defense Act~~ Sections 1290.2 through 1290.27 of Title 21 of the  
8 Oklahoma Statutes shall not be deemed guilty of transporting a  
9 pistol in violation of this section when a handgun is carried  
10 concealed or unconcealed upon or about their person in compliance  
11 with the provisions of ~~the Oklahoma Self-Defense Act~~ Sections 1290.2  
12 through 1290.27 of Title 21 of the Oklahoma Statutes.

13 SECTION 63. AMENDATORY Section 3, Chapter 310, O.S.L.  
14 2015 (70 O.S. Supp. 2020, Section 5-149.2), is amended to read as  
15 follows:

16 Section 5-149.2 A. The board of education of a school district  
17 may, through a majority vote of the board, designate school  
18 personnel who have been issued a handgun license pursuant to ~~the~~  
19 ~~Oklahoma Self-Defense Act~~ Sections 1290.2 through 1290.27 of Title  
20 21 of the Oklahoma Statutes to attend an armed security guard  
21 training program, as provided for in Section 1750.5 of Title 59 of  
22 the Oklahoma Statutes, or a reserve peace officer certification  
23 program, as provided for in Section 3311 of Title 70 of the Oklahoma  
24 Statutes, provided and developed by the Council on Law Enforcement

1 Education and Training (CLEET). Nothing in this section shall be  
2 construed to prohibit or limit the board of education of a school  
3 district from requiring ongoing education and training.

4 B. Participation in either the armed security guard training  
5 program or the reserve peace officer certification program shall be  
6 voluntary and shall not in any way be considered a requirement for  
7 continued employment with the school district. The board of  
8 education of a school district shall have the final authority to  
9 determine and designate the school personnel who will be authorized  
10 to obtain and use an armed security guard license or reserve peace  
11 officer certification in conjunction with their employment as school  
12 personnel.

13 C. The board of education of a school district that authorizes  
14 school personnel to participate in either the armed security guard  
15 program or the reserve peace officer program may pay all necessary  
16 training, meal and lodging expenses associated with the training.

17 D. When carrying a firearm pursuant to the provisions of this  
18 act, the person shall at all times carry the firearm on his or her  
19 person or the firearm shall be stored in a locked and secure  
20 location.

21 E. Any school personnel who have successfully completed either  
22 training and while acting in good faith shall be immune from civil  
23 and criminal liability for any injury resulting from the carrying of  
24 a handgun onto public school property as provided for in this act.

1 Any board of education of a school district or participating local  
2 law enforcement agency shall be immune from civil and criminal  
3 liability for any injury resulting from any act committed by school  
4 personnel who are designated to carry a concealed handgun on public  
5 school property pursuant to the provisions of this act.

6 F. In order to carry out the provisions of this section, the  
7 board of education of a school district is authorized to enter into  
8 a memorandum of understanding with local law enforcement entities.

9 SECTION 64. REPEALER 21 O.S. 2011, Sections 1289.1 and  
10 1290.1, as last amended by Section 2, Chapter 406, O.S.L. 2019 (21  
11 O.S. Supp. 2020, Section 1290.1), are hereby repealed.

12 SECTION 65. This act shall become effective November 1, 2021.

13  
14 58-1-5074 GRS 01/04/21

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