

BILL SUMMARY

1st Session of the 59th Legislature

Bill No.:	HB2051
Version:	INT
Request Number:	5068
Author:	Rep. Hardin
Date:	2/13/2023
Impact:	\$0

Research Analysis

HB 2051 provides that the crime of pointing a firearm at another does not apply to persons acting in self-defense or to home or business owners acting in defense of their private property. The measure provides that it is lawful to point a firearm, knife or other deadly weapon at another by a person who can legally possess a weapon during an act of self-defense or in defense of real or private property. It shall also be considered lawful when person is in the defensive display of a firearm or other deadly weapon. The measure provides that it is unlawful for a person to willfully and without lawful cause to point a firearm, knife or other deadly weapon for the purpose of threatening or with any malice or for any purpose of injuring or intimidating or for whimsy, humor or prank, or in anger or otherwise. The measure also adds "occupied premises" as a location where a person may use deadly force. The measure provides that the defensive display of a firearm or other deadly weapon is justified when the person believes that physical force is immediately necessary to protect themselves or another person against unlawful physical or deadly force. Defensive display is not lawful when the person intentionally provokes another to use or attempt to use unlawful physical or deadly force or uses a firearm during the commission of an unlawful act involving force or violence. The measure further defines defensive display of a firearm to include verbally informing another that the person is in possession of a firearm, exposing the firearm, placing the hand of the person on a firearm.

Prepared By: Brad Wolgamott

Fiscal Analysis

This measure amends current statute relating to the crimes and related penalties for pointing a weapon. After consultation with officials from the Oklahoma State Bureau of Investigation (OSBI) and the Administrative Office of the Courts, it is not anticipated that HB2051 will have an impact on state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.