

ENGROSSED SENATE
BILL NO. 994

BY: WILKERSON and HERBERT of
the SENATE

and

DUNEGAN of the HOUSE

AN ACT RELATING TO LAW ENFORCEMENT; AMENDING 21 O.S.
1991, SECTION 1289.23, WHICH RELATES TO OFF-DUTY
PEACE OFFICERS AUTHORIZED TO CARRY WEAPONS;
AUTHORIZING RETIRED STATE AND FEDERAL LAW
ENFORCEMENT OFFICIALS TO CARRY FIREARMS; STATING
CONDITIONS; CONSTRUING ACT; AND PROVIDING AN
EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1289.23, is
amended to read as follows:

Section 1289.23 A. A full-time duly appointed peace officer
who is certified by the Council on Law Enforcement Education and
Training, pursuant to the provisions of Section 3311 of Title 70 of
the Oklahoma Statutes, is hereby authorized to carry a weapon
certified and approved by his employing agency during periods when
he is not on active duty.

B. When an off-duty officer carries a certified weapon, the
officer shall be in law enforcement uniform prescribed by the
employing agency or when not wearing the prescribed law enforcement
uniform shall be required:

1. To have his official peace officers badge, Commission Card and C.L.E.E.T. Certification Card on his person at all times when carrying a weapon certified and approved by the employing agency; and

2. To keep the authorized weapon concealed from view at all times except when the weapon is used within the guidelines, rules and regulations established by the employing agency.

C. Any duly appointed state or federal law enforcement official, corrections officer or parole officer who has carried a weapon in the performance of his official duties upon retirement by reason of length of service is hereby authorized to carry a weapon until such time said person is unable or desires not to be available in times of emergency to assist other law enforcement officers. Any person carrying a weapon under the provisions of this subsection shall be required:

1. To comply with all laws regulating the use of firearms;

2. To keep said weapon concealed from view at all times, except when requested to assist other law enforcement officers in the performance of their official duties; and

3. To have in his possession the official law enforcement commission, certification card or badge from the authority of retirement.

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

SECTION 2. This act shall become effective September 1, 1992.

Passed the Senate the 9th day of March, 1992.

President of the Senate

Passed the House of Representatives the ____ day of
_____, 1992.

Speaker of the House of
Representatives