

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2040

BY: SEIKEL

AS INTRODUCED

AN ACT RELATING TO CRIMES AND PUNISHMENTS; AMENDING
21 O.S. 1991, SECTION 1289.23, WHICH RELATES TO
OFF-DUTY PEACE OFFICERS; PROVIDING FOR RESERVE
PEACE OFFICERS AND DEPUTIES TO CARRY A WEAPON WHEN
NOT ON ACTIVE DUTY; 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. 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.

D. A reserve peace officer who has satisfactorily completed a basic police course of not less than one hundred twenty (120) hours of accredited instruction for reserve police officers and reserve deputies from the Council on Law Enforcement Education and Training, or a curriculum or course of study approved by the Council, may carry a certified weapon off-duty when:

1. Individual authorization for the reserve officer or reserve deputy is granted in writing by the employing agency director; and

2. The employing agency maintains and forwards to the Council on Law Enforcement Education and Training a current list of reserve officers or reserve deputies authorized to carry off-duty weapons.
Nothing in this subsection shall be construed to alter or amend the provisions of Section 1750.2 of Title 59 of the Oklahoma Statutes or expand the duties or authority of any reserve peace officer.

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

43-2-7327

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