

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2177

BY: JOHNSON (Rob)

AS INTRODUCED

AN ACT RELATING TO CRIMES AND PUNISHMENTS; AMENDING
21 O.S. 1991, SECTION 1289.19, WHICH RELATES TO
RESTRICTED BULLETS AND BODY ARMOR; CLARIFYING
STATUTORY REFERENCE; AUTHORIZING CLEET TO CERTIFY
CERTAIN PERSONS TO POSSESS AND WEAR BODY ARMOR;
PROVIDING QUALIFICATIONS FOR CERTIFICATION;
PROVIDING GROUNDS FOR DENIAL OR REVOCATION OF
CERTIFICATION; REQUIRING THE DEPARTMENT OF PUBLIC
SAFETY TO BE NOTIFIED OF SUCH CERTIFICATION AND
REVOCATION OF SUCH CERTIFICATION; PROVIDING FOR THE
ISSUANCE OF PERMITS; REQUIRING THAT PERMITS BE IN
THE POSSESSION OF THE CERTIFIED PERSON IN CERTAIN
CIRCUMSTANCES; PROVIDING FOR SURRENDER OF PERMIT;
EXCLUDING CERTAIN PERSONS FROM THE APPLICATION OF
THIS ACT; PROVIDING FOR CODIFICATION; AND PROVIDING
AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1289.19, is amended to read as follows:

Section 1289.19 As used in ~~this act~~ Sections 1289.20 through 1289.22 of this title and Section 2 of this act:

1. "Restricted bullet" means a round or elongated missile with a core of less than sixty percent (60%) lead and having a fluorocarbon coating, which is designed to travel at a high velocity and is capable of penetrating body armor; and

2. "Body armor" means a vest or shirt of ten (10) plies or more of bullet resistant material as defined by the Office of Development, Testing and Dissemination, a division of the United States Department of Justice.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1289.19A of Title 21, unless there is created a duplication in numbering, reads as follows:

A. The Council on Law Enforcement Education and Training (CLEET) may certify a person to possess and wear body armor pursuant to the following conditions:

1. The person applying for the certification shall provide proof to CLEET that due to such person's employment, it is necessary to wear body armor for protection against potential deadly force from others; and

2. The person applying for certification shall not have been convicted of any felony or any misdemeanor involving violence of any type.

B. CLEET shall deny certification to any person who does not meet the conditions established in subsection A of this section and may deny certification for any other just cause. CLEET shall revoke the certification of any person certified pursuant to this section for conviction of a felony or misdemeanor involving any type of violence and may revoke certification for any other just cause. As used in this section, "just cause" shall include, but not be limited to, any kind of behavior or conditions which might put others in danger of physical harm.

C. CLEET shall inform the Department of Public Safety of persons certified to possess and wear body armor and shall provide a

copy of such certification to the Department. CLEET also shall notify the Department of Public Safety of persons who have had certification revoked and shall provide a copy of the revocation document to the Department.

D. CLEET shall issue to the person receiving certification a permit for body armor which such person shall have in his or her immediate possession when wearing body armor. Upon revocation of certification, any person so certified shall immediately surrender the permit to CLEET.

E. The provisions of this section shall not apply to law enforcement officers.

SECTION 3. This act shall become effective January 1, 1993.

43-2-7486

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