

ENROLLED HOUSE
BILL NO. 3024

By: Stanley, Glover, Pope
(Tim), Hiett, Adkins and
Adair of the House

and

Shurden and Fair of the
Senate

An Act relating to the Oklahoma Self-Defense Act; amending Section 14, Chapter 272, O.S.L. 1995 (21 O.S. Supp. 1995, Section 1290.14), which relates to safety and training courses; providing for temporary approval for firearms instructors under certain conditions; providing for grant or denial of full approval upon completion of federal background check; providing for promulgation of rules; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 14, Chapter 272, O.S.L. 1995 (21 O.S. Supp. 1995, Section 1290.14), is amended to read as follows:

Section 1290.14

SAFETY AND TRAINING COURSE

A. Each applicant must successfully complete a firearms safety and training course in this state conducted by a registered and approved firearms instructor as provided by the provisions of this section. The applicant must further demonstrate competence and qualification with an authorized pistol of the type or types that the applicant desires to carry as a concealed handgun pursuant to the provisions of the Oklahoma Self-Defense Act, Sections ~~4~~ 1290.1 through ~~25~~ 1290.25 of this ~~act~~ title, except certain persons may be exempt from such training requirement as provided by the provisions of Section ~~15~~ 1290.15 of this ~~act~~ title.

B. The Council on Law Enforcement Education and Training (CLEET) shall establish criteria for approving firearms instructors for purposes of training and qualifying individuals for a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act. All firearms instructors shall be required to meet the eligibility requirements for a concealed handgun license as provided in Sections ~~9~~ 1290.9, ~~10~~ 1290.10, and ~~11~~ 1290.11 of this ~~act~~ title and, in addition, each instructor shall have a national and state criminal history records search and be fingerprinted by the Oklahoma State Bureau of Investigation. A firearms instructor shall be required to pay a one-hundred-dollar fee to CLEET each year when applying for an approval pursuant to the provisions of the Oklahoma Self-Defense Act. The fee shall be retained by CLEET and shall be deposited into the Firearms Instructors Revolving Fund. CLEET shall promulgate the rules, forms and procedures necessary to implement the approval of firearms instructors as authorized by the provisions of this subsection. CLEET shall periodically review each approved

instructor during a training and qualification course to assure compliance with the rules and course contents. Any violation of the rules may result in the approval being revoked or suspended.

C. The Oklahoma State Bureau of Investigation shall issue a temporary approval to a firearms instructor applicant who is in full compliance with CLEET rules regarding firearms instructors and the provisions of subsection B of this section, if completion of a federal background check is the only reason for delay of full approval of that firearms instructor applicant. Upon receipt of the federal background information, the Oklahoma State Bureau of Investigation shall notify the firearms instructor applicant of the information received and shall grant or deny full approval to the firearms instructor applicant and a one-year concealed handgun license. The Oklahoma State Bureau of Investigation shall promulgate rules to implement this process.

D. All firearms instructors approved by CLEET to train and qualify individuals for a concealed handgun license shall be required to register annually with the Oklahoma State Bureau of Investigation and shall display their approval and registration credentials during each training and qualification course. Each approved firearms instructor shall complete a registration form provided by the Bureau and shall pay a one-hundred-dollar registration fee to the Bureau at the time of each registration. The Bureau shall maintain a current listing of all registered and approved firearms instructors in this state and the list shall be made available to each applicant in the application packet provided by the Bureau.

~~D.~~ E. The required firearms safety and training course and the actual demonstration of competency and qualification required of the applicant shall be designed and conducted in such a manner to be completed by the applicant within an eight-hour period. CLEET shall establish the course content and promulgate rules, procedures and forms necessary to implement the provisions of this subsection. For the training and qualification course, an applicant may be charged a fee not to exceed Sixty Dollars (\$60.00). The instructor to student ratio should be not more than ten students to any one instructor. CLEET may establish criteria for assistant instructors, maximum class size and any other requirements deemed necessary to conduct a safe and effective training and qualification course. The course content shall include a safety inspection of the firearm to be used by the applicant in the training course; instruction on pistol handling, safety and storage; dynamics of ammunition and firing; methods or positions for firing a pistol; information about the criminal provisions of the Oklahoma law relating to firearms; the requirements of the Oklahoma Self-Defense Act as it relates to the applicant; self-defense and the use of appropriate force; a practice shooting session; and a familiarization course. The firearms instructor shall refuse to train or qualify any person when the pistol to be used or carried by the person is either deemed unsafe or unfit for firing or is a weapon not authorized by the Oklahoma Self-Defense Act. The course shall provide an opportunity for the applicant to qualify on either a derringer, a revolver, a semiautomatic pistol or any combination of a derringer, a revolver and a semiautomatic pistol, provided the pistol is capable of firing no larger than .45 caliber ammunition. Any applicant who successfully trains and qualifies with a semiautomatic pistol may be approved by the firearms instructor on the training certificate for a semiautomatic pistol, a revolver and a derringer upon request but any person who qualifies on a derringer or revolver shall not be eligible for a semiautomatic rating until the person has

demonstrated competence and qualifications on a semiautomatic pistol. Upon successful completion of the training and qualification course, a certificate shall be issued to each applicant who successfully completes the course. The certificate of training shall comply with the form established by CLEET and shall be submitted with an application for a concealed handgun license pursuant to the provisions of paragraph 2 of Section ~~12~~ 1290.12 of this ~~act~~ title.

~~E.~~ F. There is hereby created a revolving fund for the Council on Law Enforcement Education and Training (CLEET), to be designated the "Firearms Instructors Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all funds received for approval of firearms instructors for purposes of the Oklahoma Self-Defense Act, Sections ~~1~~ 1290.1 through ~~25~~ 1290.25 of this ~~act~~ title. All funds received shall be deposited to the fund. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Council on Law Enforcement Education and Training, for implementation of the training and qualification course contents, approval of firearms instructors and any other CLEET requirement pursuant to the provisions of the Oklahoma Self-Defense Act or as may otherwise be deemed appropriate by CLEET. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 13th day of February,
1996.

Speaker of the House of
Representatives

Passed the Senate the 20th day of February, 1996.

President of the Senate