

SHORT TITLE: Firearms; renewal of certain license; emergency.

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

SENATE BILL NO. 1051

By: Shurden

AS INTRODUCED

An Act relating to firearms; amending Sections 5 and 15, Chapter 272, O.S.L. 1995 (21 O.S. Supp. 1995, Sections 1290.5 and 1290.15), which relate to term of license and renewal and persons exempt from training course; modifying statutory references; specifying renewal fee; requiring renewal fee in certain form; expanding exemption for certain military service; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 5, Chapter 272, O.S.L. 1995 (21 O.S. Supp. 1995, Section 1290.5), is amended to read as follows:

Section 1290.5

TERM OF LICENSE AND RENEWAL

A concealed handgun license when issued shall authorize the person to whom the license is issued to carry a loaded or unloaded concealed handgun as authorized by the provisions of the Oklahoma Self-Defense Act, Sections ~~4~~ 1290.1 through ~~25~~ 1290.25 of this ~~act~~ title, and any future modifications thereto. The license shall be valid in this state for a period of four (4) years, unless subsequently suspended or revoked as provided by law.

A license may be renewed in the same manner provided for issuing an original license, except the training requirements of Section ~~14~~ 1290.14 of this ~~act~~ title shall not apply to a renewal. The renewal fee shall be Fifty Dollars (\$50.00). The renewal fee shall be in the form of a money order or cashier's check made payable to the Oklahoma State Bureau of Investigation. The person shall have no

authority to continue to carry a concealed handgun in this state pursuant to the Oklahoma Self-Defense Act when a license is allowed to expire or when a license has been suspended or revoked for any reason.

SECTION 2. AMENDATORY Section 15, Chapter 272, O.S.L. 1995 (21 O.S. Supp. 1995, Section 1290.15), is amended to read as follows:

Section 1290.15

PERSONS EXEMPT FROM TRAINING COURSE

A. The following individuals may be exempt from all or part of the required training and qualification course established pursuant to the provisions of Section ~~14~~ 1290.14 of this ~~act~~ title:

1. A CLEET certified firearms instructor;
2. A law enforcement officer or a retired law enforcement officer authorized by this state or any of its political subdivisions or authorized by the federal government to carry a firearm;
3. A CLEET certified armed security officer, armed guard, correctional officer, or any other person having a CLEET certification;
4. A person on active military duty, National Guard duty or regular military reserve duty who is trained and qualified in the use of handguns;
5. A person honorably discharged from active military duty, National Guard duty or military reserves within ~~three (3)~~ ten (10) years preceding the date of the application for a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act, Section 1290.1 through Section 1290.25 of this title, and who has been trained and qualified in the use of handguns; and

6. Any person who is otherwise deemed qualified as a firearms instructor by CLEET.

Provided, however, persons applying for an exemption pursuant to paragraph 4 or 5 of this subsection shall be required to successfully complete the classroom portion of the training course. The classroom portion of the training course shall not exceed a thirty-dollar fee. In all other cases, the person applying for an exemption shall not be required to complete the training and qualification course upon proper proof of an exemption.

B. The Council on Law Enforcement Education and Training (CLEET) shall establish criteria for providing proof of an exemption. Before any person shall be considered exempt from all or part of the required training and qualification pursuant to the provisions of the Oklahoma Self-Defense Act, Sections ~~4~~ 1290.1 through ~~25~~ 1290.25 of this ~~act~~ title, each person shall present the required proof of exemption to a registered and approved firearms instructor. Each person determined to be exempt from training or qualification as provided in this subsection shall receive an exemption certificate from the registered and approved firearms instructor. The rules promulgated by CLEET to implement the provisions of this section and Section ~~14~~ 1290.14 of this ~~act~~ title may require that a fee not to exceed Two Dollars (\$2.00) be charged for processing an exemption certificate. The exemption certificate must be submitted with an application for a handgun license as provided in paragraph 2 of Section ~~12~~ 1290.12 of this ~~act~~ title. No person who is determined to be exempt from training or qualification may carry a concealed firearm pursuant to the authority of the Oklahoma Self-Defense Act until issued a valid handgun license.

C. A law enforcement officer who is retired from length of service and who is receiving retirement benefits upon proper proof

of such facts shall be exempt from the training and qualification requirements required by Section ~~14~~ 1290.14 of this ~~act~~ title and shall be exempt from the application processing fee, fingerprint fee, fingerprinting and criminal history records search, but shall be required to complete the other provisions of the application process and submit the required photographs. The Oklahoma State Bureau of Investigation shall issue the concealed handgun license upon receipt of the completed application and photographs within the ninety-day requirement. The provisions of this subsection shall not apply to any other law enforcement officer.

D. Nothing contained in any provision of the Oklahoma Self-Defense Act shall be construed to prohibit any police or peace officer certified by the Council on Law Enforcement Education and Training, any federal law enforcement officer, any correctional officer or any other person authorized by law to carry a pistol during the course of their employment or upon retirement from such employment from carrying any pistol in any manner otherwise authorized by law.

SECTION 3. 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.

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