

3 Senate Bill No. 955

4 SENATE BILL NO. 955 - By: NICHOLS of the Senate and ERICSON of the
5 House.

6 An Act relating to firearms; amending 21 O.S. 2001, Section
7 1283, which relates to convicted felons and delinquents
8 possessing firearms; prohibiting youthful offenders from
9 possessing firearms; and declaring an emergency.

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

11 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1283, is
12 amended to read as follows:

13 Section 1283.

14 CONVICTED FELONS AND DELINQUENTS

15 A. Except as provided in subsection B of this section, it shall
16 be unlawful for any person convicted of any felony in any court of
17 this state or of another state or of the United States to have in
18 his or her possession or under his or her immediate control, or in
19 any vehicle which the person is operating, or in which the person is
20 riding as a passenger, or at the residence where the convicted
21 person resides, any pistol, imitation or homemade pistol, machine
22 gun, sawed-off shotgun or rifle, or any other dangerous or deadly
23 firearm which could be easily concealed on the person, in personal
24 effects or in an automobile.

1 B. Any person who has previously been convicted of a nonviolent
2 felony in any court of this state or of another state or of the
3 United States, and who has received a full and complete pardon from
4 the proper authority and has not been convicted of any other felony
5 offense which has not been pardoned, shall have restored the right
6 to possess any firearm or other weapon prohibited by subsection A of
7 this section, the right to apply for and carry a concealed handgun
8 pursuant to the Oklahoma Self-Defense Act, Section 1290.1 et seq. of
9 this title, and the right to perform the duties of a peace officer,
10 gunsmith, or for firearms repair.

11 C. It shall be unlawful for any person supervised by the
12 Department of Corrections or any division thereof to have in his or
13 her possession or under his or her immediate control, or at his or
14 her residence, or in any passenger vehicle which the supervised
15 person is operating or is riding as a passenger, any pistol, shotgun
16 or rifle, including any imitation or homemade pistol, shotgun or
17 rifle, while such person is subject to supervision, probation,
18 parole or inmate status.

19 D. It shall be unlawful for any person previously adjudicated
20 as a delinquent child or a youthful offender for the commission of
21 an offense, which would have constituted a felony offense if
22 committed by an adult, to have in said person's possession or under
23 the person's immediate control, or have in any vehicle which he or

1 she is driving or in which said person is riding as a passenger, or
2 at the person's residence, any pistol, imitation or homemade pistol,
3 machine gun, sawed-off shotgun or rifle, or any other dangerous or
4 deadly firearm which could be easily concealed on the person, in
5 personal effects or in an automobile, within ten (10) years after
6 such adjudication.

7 E. Any person having been issued a concealed handgun license
8 pursuant to the provisions of the Oklahoma Self-Defense Act, Section
9 1290.1 et seq. of this title, and who thereafter knowingly or
10 intentionally allows a convicted felon or adjudicated delinquent or
11 a youthful offender as prohibited by the provisions of subsections
12 A, C, or D of this section to possess or have control of any pistol
13 authorized by the Oklahoma Self-Defense Act shall, upon conviction,
14 be guilty of a felony punishable by a fine not to exceed Five
15 Thousand Dollars (\$5,000.00). In addition, the person shall have
16 the handgun license revoked by the Oklahoma State Bureau of
17 Investigation after a hearing and determination that the person has
18 violated the provisions of this section.

19 F. Any convicted or adjudicated person violating the provisions
20 of this section shall, upon conviction, be guilty of a felony
21 punishable as provided in Section 1284 of this title.

1 G. For purposes of this section, "sawed-off shotgun or rifle"
2 shall mean any shotgun or rifle which has been shortened to any
3 length.

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

8 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-20-02 - DO
9 PASS, As Coauthored.