

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1816

By: Calvey

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1272.1, as last amended by Section 3, Chapter 191, O.S.L. 1996 (21 O.S. Supp. 2000, Section 1272.1), which relates to prohibition on carrying firearms in places where liquor is consumed; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1272.1, as last amended by Section 3, Chapter 191, O.S.L. 1996 (21 O.S. Supp. 2000, Section 1272.1), is amended to read as follows:

Section 1272.1

CARRYING FIREARMS WHEN LIQUOR IS CONSUMED

A. It shall be unlawful for any person to carry or possess any weapon designated in Section 1272 of this title in any establishment where low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes, or alcoholic beverages, as defined by Section 506 of Title 37 of the Oklahoma Statutes, are consumed. This provision shall not apply to a peace officer, as defined in Section 99 of this title, and shall not apply to an owner or proprietor of the establishment having a pistol, rifle, or shotgun on the premises. ~~Provided however~~ However, a person possessing a valid concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act, Section 1290.1 et seq. of this title may carry the concealed handgun into any restaurant or other establishment licensed to dispense low-point beer or alcoholic beverages where the

sale of low-point beer or alcoholic beverages does not constitute the primary purpose of the business.

Provided further, nothing in this section shall be interpreted to authorize any peace officer in actual physical possession of a weapon to consume low-point beer or alcoholic beverages, except in the authorized line of duty as an undercover officer.

B. Any person violating the provisions of this section shall be punished as provided in Section 1272.2 of this title.

SECTION 2. This act shall become effective November 1, 2001.

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