

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2118

By: Carey

COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1272, as amended by Section 1, Chapter 465, O.S.L. 2003 (21 O.S. Supp. 2005, Section 1272), which relates to unlawful carry of firearms; prohibiting certain acts while in any state government building; providing penalties; providing an exception; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 1272, as amended by Section 1, Chapter 465, O.S.L. 2003 (21 O.S. Supp. 2005, Section 1272), is amended to read as follows:

Section 1272.

UNLAWFUL CARRY

A. It shall be unlawful for any person to carry upon or about his or her person, or in a purse or other container belonging to the person, any pistol, revolver, shotgun or rifle whether loaded or unloaded or any dagger, bowie knife, dirk knife, switchblade knife, spring-type knife, sword cane, knife having a blade which opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon be concealed or unconcealed, except this section shall not prohibit:

1. The proper use of guns and knives for hunting, fishing, educational or recreational purposes;

2. The carrying or use of weapons in a manner otherwise permitted by statute or authorized by the Oklahoma Self-Defense Act;

3. The carrying, possession and use of any weapon by a peace officer or other person authorized by law to carry a weapon in the performance of official duties and in compliance with the rules of the employing agency; or

4. The carrying and use of firearms and other weapons provided in this subsection when used for the purpose of living history reenactment. For purposes of this paragraph, "living history reenactment" means depiction of historical characters, scenes, historical life or events for entertainment, education, or historical documentation through the wearing or use of period, historical, antique or vintage clothing, accessories, firearms, weapons, and other implements of the historical period.

B. Any person convicted of violating ~~the foregoing~~ any provision of subsection A of this section shall be guilty of a misdemeanor punishable as provided in Section 1276 of this title.

C. 1. Any person convicted of violating any provision of subsection A of this section while in any state government building shall be guilty of a misdemeanor punishable as provided in Section 1277 of this title.

2. Any person convicted of willfully violating any provision of subsection A of this section while in any state government building shall be guilty of a felony punishable by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment in the custody of the Department of Corrections for a term not exceeding two (2) years, or by both such fine and imprisonment.

3. The provisions of this subsection shall not apply to any peace officer or to any person authorized by law to carry a weapon in the course of employment.

SECTION 2. This act shall become effective November 1, 2006.

50-2-9295 GRS 02/08/06