

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 SENATE BILL 762

By: Riley

4  
5  
6 AS INTRODUCED

7 An Act relating to firearms training; amending 21  
8 O.S. 2006, Sections 1290.12, as amended by Section 3,  
9 Chapter 549, O.S.L. 2004, and 1290.14, as last  
10 amended by Section 1, Chapter 455, O.S.L. 2005 (21  
11 O.S. Supp. 2006, Sections 1290.12 and 1290.14), which  
12 relate to application for concealed carry license and  
13 firearms safety and training course; authorizing  
14 denial of application for expired training  
15 certificate; setting expiration period on certain  
16 certificates of training; authorizing repeat training  
17 upon certain conditions; providing an effective date;  
18 and declaring an emergency.

19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
841  
842  
843  
844  
845  
846  
847  
848  
849  
850  
851  
852  
853  
854  
855  
856  
857  
858  
859  
860  
861  
862  
863  
864  
865  
866  
867  
868  
869  
870  
871  
872  
873  
874  
875  
876  
877  
878  
879  
880  
881  
882  
883  
884  
885  
886  
887  
888  
889  
890  
891  
892  
893  
894  
895  
896  
897  
898  
899  
900  
901  
902  
903  
904  
905  
906  
907  
908  
909  
910  
911  
912  
913  
914  
915  
916  
917  
918  
919  
920  
921  
922  
923  
924  
925  
926  
927  
928  
929  
930  
931  
932  
933  
934  
935  
936  
937  
938  
939  
940  
941  
942  
943  
944  
945  
946  
947  
948  
949  
950  
951  
952  
953  
954  
955  
956  
957  
958  
959  
960  
961  
962  
963  
964  
965  
966  
967  
968  
969  
970  
971  
972  
973  
974  
975  
976  
977  
978  
979  
980  
981  
982  
983  
984  
985  
986  
987  
988  
989  
990  
991  
992  
993  
994  
995  
996  
997  
998  
999  
1000

1 Investigation or the county sheriff's office either in person or by  
2 mail. The Bureau may provide application packets to each sheriff  
3 not exceeding two hundred packets per request. The Bureau shall  
4 provide the following information in the application packet:

- 5 a. an application form,
- 6 b. procedures to follow to process the application form,
- 7 and
- 8 c. a copy of the Oklahoma Self-Defense Act with any  
9 modifications thereto;

10 2. The person shall be required to successfully complete a  
11 firearms safety and training course from a firearms instructor who  
12 is approved and registered in this state as provided in Section  
13 1290.14 of this title, and the person shall be required to  
14 demonstrate competency and qualification with a pistol authorized  
15 for concealed carry by the Oklahoma Self-Defense Act. The original  
16 certificate of training shall be submitted with the application for  
17 a handgun license within the time the certificate of training is  
18 valid. No duplicate, copy, facsimile or other reproduction of the  
19 certificate of training or exemption from training shall be  
20 acceptable as proof of training as required by the provisions of the  
21 Oklahoma Self-Defense Act. A person exempt from the training  
22 requirements as provided in Section 1290.15 of this title must show  
23 the required proof of such exemption to the firearms instructor to  
24 receive an exemption certificate. The original exemption

1 certificate must be submitted with the application for a handgun  
2 license when the person claims an exemption from training and  
3 qualification;

4 3. The application form shall be completed and delivered by the  
5 applicant, in person, to the sheriff of the county wherein the  
6 applicant resides;

7 4. The person shall deliver to the sheriff at the time of  
8 delivery of the completed application form a fee of One Hundred  
9 Dollars (\$100.00) for processing the application through the  
10 Oklahoma State Bureau of Investigation and processing the required  
11 fingerprints through the Federal Bureau of Investigation. The  
12 processing fee shall be in the form of:

- 13 a. a money order or a cashier's check made payable to the  
14 Oklahoma State Bureau of Investigation, or
- 15 b. by a nationally recognized credit card issued to the  
16 applicant. For purposes of this paragraph,  
17 "nationally recognized credit card" means any  
18 instrument or device, whether known as a credit card,  
19 credit plate, charge plate, or by any other name,  
20 issued with or without fee by the issuer for the use  
21 of the cardholder in obtaining goods, services, or  
22 anything else of value on credit which is accepted by  
23 over one thousand merchants in the state. The  
24 Oklahoma State Bureau of Investigation shall determine

1           which nationally recognized credit cards will be  
2           accepted by the Bureau.

3           The processing fee shall not be refundable in the event of a  
4 denial of a handgun license or any suspension or revocation  
5 subsequent to the issuance of a license. Persons making application  
6 for a firearms instructor shall not be required to pay the  
7 application fee as provided in this section, but shall be required  
8 to pay the costs provided in paragraphs 6 and 8 of this subsection;

9           5. The completed application form shall be signed by the  
10 applicant in person before the sheriff. The signature shall be  
11 given voluntarily upon a sworn oath that the person knows the  
12 contents of the application and that the information contained in  
13 the application is true and correct. Any person making any false or  
14 misleading statement on an application for a handgun license shall,  
15 upon conviction, be guilty of perjury as defined by Section 491 of  
16 this title. Any conviction shall be punished as provided in Section  
17 500 of this title. In addition to a criminal conviction, the person  
18 shall be denied the right to have a concealed handgun license  
19 pursuant to the provisions of Section 1290.10 of this title and the  
20 Oklahoma State Bureau of Investigation shall revoke the handgun  
21 license, if issued;

22           6. Two passport size photographs of the applicant shall be  
23 submitted with the completed application. The cost of the  
24 photographs shall be the responsibility of the applicant. The

1 sheriff is authorized to take the applicant's photograph for  
2 purposes of the Oklahoma Self-Defense Act and, if such photographs  
3 are taken by the sheriff the cost of the photographs shall not  
4 exceed Ten Dollars (\$10.00) for the two photos. All money received  
5 by the sheriff from photographing applicants pursuant to the  
6 provisions of this paragraph shall be retained by the sheriff and  
7 deposited into the Sheriff's Service Fee Account;

8 7. The sheriff shall witness the signature of the applicant and  
9 review or take the photographs of the applicant and shall verify  
10 that the person making application for a handgun license is the same  
11 person in the photographs submitted and the same person who signed  
12 the application form. Proof of a valid Oklahoma driver license with  
13 a photograph of the applicant or an Oklahoma State photo  
14 identification for the applicant shall be required to be presented  
15 by the applicant to the sheriff for verification of the person's  
16 identity;

17 8. Upon verification of the identity of the applicant, the  
18 sheriff shall take two complete sets of fingerprints of the  
19 applicant. Both sets of fingerprints shall be submitted by the  
20 sheriff with the completed application, certificate of training or  
21 an exemption certificate, photographs and processing fee to the  
22 Oklahoma State Bureau of Investigation within fourteen (14) days of  
23 taking the fingerprints. The cost of the fingerprints shall be paid  
24 by the applicant and shall not exceed Twenty-five Dollars (\$25.00)

1 for the two sets. All fees collected by the sheriff from taking  
2 fingerprints pursuant to the provisions of this paragraph shall be  
3 retained by the sheriff and deposited into the Sheriff's Service Fee  
4 Account;

5 9. The sheriff shall submit to the Oklahoma State Bureau of  
6 Investigation within the fourteen-day period, together with the  
7 completed application, certificate of training or exemption  
8 certificate, photographs, processing fee and fingerprints, a report  
9 of information deemed pertinent to an investigation of the applicant  
10 for a handgun license. The sheriff shall make a preliminary  
11 investigation of pertinent information about the applicant and the  
12 court clerk shall assist the sheriff in locating pertinent  
13 information in court records for this purpose. If no pertinent  
14 information is found to exist either for or against the applicant,  
15 the sheriff shall so indicate in the report;

16 10. The Oklahoma State Bureau of Investigation, upon receipt of  
17 the application and required information from the sheriff, shall  
18 forward one full set of fingerprints of the applicant to the Federal  
19 Bureau of Investigation for a national criminal history records  
20 search. The cost of processing the fingerprints nationally shall be  
21 paid from the processing fee collected by the Oklahoma State Bureau  
22 of Investigation;

23 11. The Oklahoma State Bureau of Investigation shall make a  
24 reasonable effort to investigate the information submitted by the

1 applicant and the sheriff, to ascertain whether or not the issuance  
2 of a handgun license would be in violation of the provisions of the  
3 Oklahoma Self-Defense Act. The Bureau's investigation of an  
4 applicant shall include, but shall not be limited to: a statewide  
5 criminal history records search, a national criminal history records  
6 search, a Federal Bureau of Investigation fingerprint search, and if  
7 applicable, an investigation of medical records or other records or  
8 information deemed by the Bureau to be relevant to the application.

9 a. In the course of the Bureau's investigation, it shall  
10 present the name of the applicant along with any known  
11 aliases, the address of the applicant and the social  
12 security number of the applicant to the Department of  
13 Mental Health and Substance Abuse Services. The  
14 Department of Mental Health and Substance Abuse  
15 Services shall respond within ten (10) days of  
16 receiving such information to the Bureau as follows:

- 17 (1) with a "Yes" answer, if the Department's records  
18 indicate that the person was involuntarily  
19 committed to a mental institution in Oklahoma, or  
20 (2) with a "No" answer, if there are no records  
21 indicating the name of the person as a person  
22 involuntarily committed to a mental institution  
23 in Oklahoma, or  
24

1 (3) with an "Inconclusive" answer if the Department's  
2 records suggest the applicant may be a formerly  
3 committed person. In the case of an inconclusive  
4 answer, the Bureau shall ask the applicant  
5 whether he or she was involuntarily committed.  
6 If the applicant states under penalty of perjury  
7 that he or she has not been involuntarily  
8 committed, the Bureau shall continue processing  
9 the application for a license.

10 b. In the course of the Bureau's investigation, it shall  
11 check the name of any applicant who is twenty-eight  
12 (28) years of age or younger along with any known  
13 aliases, the address of the applicant and the social  
14 security number of the applicant against the records  
15 in the Juvenile Online Tracking System (JOLTS) of the  
16 Office of Juvenile Affairs. The Office of Juvenile  
17 Affairs shall provide the Bureau direct access to  
18 check the applicant against the records available on  
19 JOLTS.

20 (1) If the Bureau finds a record on the JOLTS that  
21 indicates the person was adjudicated a delinquent  
22 for an offense that would constitute a felony  
23 offense if committed by an adult within the last  
24 ten (10) years the Bureau shall deny the license,

1 (2) If the Bureau finds no record on the JOLTS  
2 indicating the named person was adjudicated  
3 delinquent for an offense that would constitute a  
4 felony offense if committed by an adult within  
5 the last ten (10) years, or

6 (3) If the records suggest the applicant may have  
7 been adjudicated delinquent for an offense that  
8 would constitute a felony offense if committed by  
9 an adult but such record is inconclusive, the  
10 Bureau shall ask the applicant whether he or she  
11 was adjudicated a delinquent for an offense that  
12 would constitute a felony offense if committed by  
13 an adult within the last ten (10) years. If the  
14 applicant states under penalty of perjury that he  
15 or she was not adjudicated a delinquent within  
16 ten (10) years, the Bureau shall continue  
17 processing the application for a license;

18 12. The Oklahoma State Bureau of Investigation shall either  
19 issue a concealed handgun license or deny the application within  
20 ninety (90) days of the date of receipt of the required information  
21 from the sheriff. The Bureau shall approve an applicant who appears  
22 to be in full compliance with the provisions of the Oklahoma Self-  
23 Defense Act, if completion of the federal fingerprint search is the  
24 only reason for delay of the issuance of the handgun license to that

1 applicant. Upon receipt of the federal fingerprint search  
2 information, if the Bureau receives information which precludes the  
3 person from having a concealed handgun license, the Bureau shall  
4 revoke the concealed handgun license previously issued to the  
5 applicant. The Bureau shall deny a license when the applicant fails  
6 to properly complete the application form or application process, ~~or~~  
7 is determined not to be eligible as specified by the provisions of  
8 Section 1290.9, 1290.10 or 1290.11 of this title, or the training  
9 certificate is expired. The Bureau shall approve an application in  
10 all other cases. If an application is denied, the Bureau shall  
11 notify the applicant in writing of its decision. The notification  
12 shall state the grounds for the denial and inform the applicant of  
13 the right to an appeal as may be provided by the provisions of the  
14 Administrative Procedures Act. All notices of denial shall be  
15 mailed by first class mail to the applicant's address listed in the  
16 application. Within sixty (60) calendar days from the date of  
17 mailing a denial of application to an applicant, the applicant shall  
18 notify the Bureau in writing of the intent to appeal the decision of  
19 denial or the applicant's right to appeal shall be deemed waived.  
20 Any administrative hearing on a denial which may be provided shall  
21 be conducted by a hearing examiner appointed by the Bureau. The  
22 hearing examiner's decision shall be a final decision appealable to  
23 a district court in accordance with the Administrative Procedures  
24 Act. When an application is approved, the Bureau shall issue the

1 license and mail it to the sheriff of the county wherein the  
2 applicant resides. The applicant may pick up the concealed handgun  
3 license from the sheriff's office.

4 B. Nothing contained in any provision of the Oklahoma Self-  
5 Defense Act shall be construed to require or authorize the  
6 registration, documentation or providing of serial numbers with  
7 regard to any firearm. For purposes of the Oklahoma Self-Defense  
8 Act, the sheriff may designate a person to receive, fingerprint,  
9 photograph or otherwise process applications for concealed handgun  
10 licenses.

11 SECTION 2. AMENDATORY 21 O.S. 2001, Section 1290.14, as  
12 last amended by Section 1, Chapter 455, O.S.L. 2005 (21 O.S. Supp.  
13 2006, Section 1290.14), is amended to read as follows:

14 Section 1290.14 SAFETY AND TRAINING COURSE

15 A. Each applicant for a license to carry a concealed handgun  
16 pursuant to the Oklahoma Self-Defense Act must successfully complete  
17 a firearms safety and training course in this state conducted by a  
18 registered and approved firearms instructor as provided by the  
19 provisions of this section. The applicant must further demonstrate  
20 competence and qualification with an authorized pistol of the type  
21 or types that the applicant desires to carry as a concealed handgun  
22 pursuant to the provisions of the Oklahoma Self-Defense Act, except  
23 certain persons may be exempt from such training requirement as  
24 provided by the provisions of Section 1290.15 of this title.

1 B. The Council on Law Enforcement Education and Training  
2 (CLEET) shall establish criteria for approving firearms instructors  
3 for purposes of training and qualifying individuals for a concealed  
4 handgun license pursuant to the provisions of the Oklahoma Self-  
5 Defense Act. Prior to submitting an application for CLEET approval  
6 as a firearms instructor, applicants shall attend a firearms  
7 instructor school, meeting the following minimum requirements:

8 1. Firearms instructor training conducted by one of the  
9 following entities:

- 10 a. Council on Law Enforcement Education and Training,
- 11 b. National Rifle Association,
- 12 c. Oklahoma Rifle Association,
- 13 d. federal law enforcement agencies, or
- 14 e. other professionally recognized organizations;

15 2. The course shall be at least sixteen (16) hours in length;

16 3. Upon completion of the course, the applicant shall be  
17 qualified to provide instruction on revolvers, semiautomatic  
18 pistols, or both; and

19 4. Receive a course completion certificate.

20 All firearms instructors shall be required to meet the eligibility  
21 requirements for a concealed handgun license as provided in Sections  
22 1290.9, 1290.10, and 1290.11 of this title, and the application  
23 shall be processed as provided for applicants in Section 1290.12 of  
24 this title, including the state and national criminal history

1 records search and fingerprint search. A firearms instructor shall  
2 be required to pay a fee of One Hundred Dollars (\$100.00) to the  
3 Council on Law Enforcement Education and Training (CLEET) each time  
4 the person makes application for CLEET approval as a firearms  
5 instructor pursuant to the provisions of the Oklahoma Self-Defense  
6 Act. The fee shall be retained by CLEET and shall be deposited into  
7 the Firearms Instructors Revolving Fund. CLEET shall promulgate the  
8 rules, forms and procedures necessary to implement the approval of  
9 firearms instructors as authorized by the provisions of this  
10 subsection. CLEET shall periodically review each approved  
11 instructor during a training and qualification course to assure  
12 compliance with the rules and course contents. Any violation of the  
13 rules may result in the revocation or suspension of CLEET and  
14 Oklahoma State Bureau of Investigation approval. Unless the  
15 approval has been revoked or suspended, a firearms instructor's  
16 CLEET approval shall be for a term of five (5) years. Beginning on  
17 ~~the effective date of this act~~ July 1, 2003, any firearms instructor  
18 who has been issued a four-year CLEET approval shall not be eligible  
19 for the five-year approval until the expiration of the approval  
20 previously issued. CLEET shall be responsible for notifying all  
21 approved firearms instructors of statutory and policy changes  
22 related to the Oklahoma Self-Defense Act.

23 C. 1. All firearms instructors approved by CLEET to train and  
24 qualify individuals for a concealed handgun license shall be

1 required to apply for registration with the Oklahoma State Bureau of  
2 Investigation after receiving CLEET approval. All firearms  
3 instructors teaching the approved course for a concealed handgun  
4 license must display their registration certificate during each  
5 training and qualification course. Each approved firearms  
6 instructor shall complete a registration form provided by the Bureau  
7 and shall pay a registration fee of One Hundred Dollars (\$100.00) to  
8 the Bureau at the time of each application for registration, except  
9 as provided in paragraph 2 of this subsection. Registration  
10 certificates issued by the Bureau shall be valid for five (5) years  
11 from the date of issuance. The Bureau shall issue a five-year  
12 handgun license to an approved firearms instructor at the time of  
13 issuance of a registration certificate and no additional fee shall  
14 be required or charged. The Bureau shall maintain a current listing  
15 of all registered firearms instructors in this state. Nothing in  
16 this paragraph shall be construed to eliminate the requirement for  
17 registration and training with CLEET as provided in subsection B of  
18 this section. Failure to register or be trained as required shall  
19 result in a revocation or suspension of the instructor certificate  
20 by the Bureau.

21 2. ~~On the effective date of this act~~ Beginning on July 1, 2004,  
22 the registered instructors listed in subparagraphs a and b of this  
23 paragraph shall not be required to renew the firearms instructor  
24 registration certificate with the Oklahoma State Bureau of

1 Investigation at the expiration of the registration term, provided  
2 the instructor is not subject to any suspension or revocation of the  
3 ~~firearm~~ firearms instructor certificate. The firearms instructor  
4 registration with the Oklahoma State Bureau of Investigation shall  
5 automatically renew together with the handgun license authorized in  
6 paragraph 1 of this subsection for an additional five-year term and  
7 no additional cost or fee may be charged for the following  
8 individuals:

- 9 a. an active duty law enforcement officer of this state  
10 or any of its political subdivisions or of the federal  
11 government who has a valid CLEET approval as a  
12 firearms instructor pursuant to the Oklahoma Self-  
13 Defense Act, and
- 14 b. a retired law enforcement officer authorized to carry  
15 a firearm pursuant to Section 1289.8 of this title who  
16 has a valid CLEET approval as a firearms instructor  
17 pursuant to the Oklahoma Self-Defense Act.

18 D. The Oklahoma State Bureau of Investigation shall approve  
19 registration for a firearms instructor applicant who is in full  
20 compliance with CLEET rules regarding firearms instructors and the  
21 provisions of subsection B of this section, if completion of the  
22 federal fingerprint search is the only reason for delay of  
23 registration of that firearms instructor applicant. Upon receipt of  
24 the federal fingerprint search information, if the Bureau receives

1 information which precludes the person from having a concealed  
2 handgun license, the Bureau shall revoke both the registration and  
3 the concealed handgun license previously issued to the firearms  
4 instructor.

5 E. The required firearms safety and training course and the  
6 actual demonstration of competency and qualification required of the  
7 applicant shall be designed and conducted in such a manner that the  
8 course can be reasonably completed by the applicant within an eight-  
9 hour period. CLEET shall establish the course content and  
10 promulgate rules, procedures and forms necessary to implement the  
11 provisions of this subsection. For the training and qualification  
12 course, an applicant may be charged a fee not to exceed Sixty  
13 Dollars (\$60.00). The instructor to student ratio shall not exceed  
14 ten students to any one instructor. CLEET may establish criteria  
15 for assistant instructors, maximum class size and any other  
16 requirements deemed necessary to conduct a safe and effective  
17 training and qualification course. The course content shall include  
18 a safety inspection of the firearm to be used by the applicant in  
19 the training course; instruction on pistol handling, safety and  
20 storage; dynamics of ammunition and firing; methods or positions for  
21 firing a pistol; information about the criminal provisions of the  
22 Oklahoma law relating to firearms; the requirements of the Oklahoma  
23 Self-Defense Act as it relates to the applicant; self-defense and  
24 the use of appropriate force; a practice shooting session; and a

1 familiarization course. The firearms instructor shall refuse to  
2 train or qualify any person when the pistol to be used or carried by  
3 the person is either deemed unsafe or unfit for firing or is a  
4 weapon not authorized by the Oklahoma Self-Defense Act. The course  
5 shall provide an opportunity for the applicant to qualify himself or  
6 herself on either a derringer, a revolver, a semiautomatic pistol or  
7 any combination of a derringer, a revolver and a semiautomatic  
8 pistol, provided no pistol shall be capable of firing larger than  
9 .45 caliber ammunition. Any applicant who successfully trains and  
10 qualifies himself or herself with a semiautomatic pistol may be  
11 approved by the firearms instructor on the training certificate for  
12 a semiautomatic pistol, a revolver and a derringer upon request of  
13 the applicant. Any person who qualifies on a derringer or revolver  
14 shall not be eligible for a semiautomatic rating until the person  
15 has demonstrated competence and qualifications on a semiautomatic  
16 pistol. Upon successful completion of the training and  
17 qualification course, a certificate shall be issued to each  
18 applicant who successfully completes the course. The certificate of  
19 training shall comply with the form established by CLEET and shall  
20 be submitted with an application for a concealed handgun license  
21 pursuant to the provisions of paragraph 2 of subsection A of Section  
22 1290.12 of this title. All training certificates shall expire  
23 twenty-four (24) months from the date of issuance. Any person who  
24 does not complete the application process for a concealed handgun

1 license prior to the expiration of the training certificate shall be  
2 prohibited from being licensed under such training certificate. The  
3 firearms safety and training and the competence and qualification  
4 requirements for licensing may be repeated if a training certificate  
5 expires or the applicant fails to successfully complete the  
6 training, competence and qualification requirements.

7 F. There is hereby created a revolving fund for the Council on  
8 Law Enforcement Education and Training (CLEET), to be designated the  
9 "Firearms Instructors Revolving Fund". The fund shall be a  
10 continuing fund, not subject to fiscal year limitations, and shall  
11 consist of all funds received for approval of firearms instructors  
12 for purposes of the Oklahoma Self-Defense Act. All funds received  
13 shall be deposited to the fund. All monies accruing to the credit  
14 of said fund are hereby appropriated and may be budgeted and  
15 expended by the Council on Law Enforcement Education and Training,  
16 for implementation of the training and qualification course  
17 contents, approval of firearms instructors and any other CLEET  
18 requirement pursuant to the provisions of the Oklahoma Self-Defense  
19 Act or as may otherwise be deemed appropriate by CLEET.  
20 Expenditures from said fund shall be made upon warrants issued by  
21 the State Treasurer against claims filed as prescribed by law with  
22 the Director of State Finance for approval and payment.

23 SECTION 3. This act shall become effective July 1, 2007.  
24

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

5

6 51-1-37 NP 11/3/2007 3:35:56 AM

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24