

1 ENGROSSED HOUSE
2 BILL NO. 3221

By: Russ, Enns, Ritze, Duncan
and Tibbs of the House

3 and

4 Anderson of the Senate
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8 An Act relating to crimes and punishments; amending
9 21 O.S. 2001, Section 1290.14, as last amended by
10 Section 1, Chapter 455, O.S.L. 2005 (21 O.S. Supp.
11 2009, Section 1290.14), which relates to the Oklahoma
12 Self-Defense Act; authorizing ten-year terms for
13 CLEET approval and registration certificates for
14 firearms instructors; stating fee amounts; and
15 providing an effective date.

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

17 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1290.14, as
18 last amended by Section 1, Chapter 455, O.S.L. 2005 (21 O.S. Supp.
19 2009, Section 1290.14), is amended to read as follows:

20 Section 1290.14

21 SAFETY AND TRAINING COURSE

22 A. Each applicant for a license to carry a concealed handgun
23 pursuant to the Oklahoma Self-Defense Act must successfully complete
24 a firearms safety and training course in this state conducted by a
registered and approved firearms instructor as provided by the
provisions of this section. The applicant must further demonstrate

1 competence and qualification with an authorized pistol of the type
2 or types that the applicant desires to carry as a concealed handgun
3 pursuant to the provisions of the Oklahoma Self-Defense Act, except
4 certain persons may be exempt from such training requirement as
5 provided by the provisions of Section 1290.15 of this title.

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

13 1. Firearms instructor training conducted by one of the
14 following entities:

- 15 a. Council on Law Enforcement Education and Training,
- 16 b. National Rifle Association,
- 17 c. Oklahoma Rifle Association,
- 18 d. federal law enforcement agencies, or
- 19 e. other professionally recognized organizations;

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

21 3. Upon completion of the course, the applicant shall be
22 qualified to provide instruction on revolvers, semiautomatic
23 pistols, or both; and

24 4. Receive a course completion certificate.

1 All firearms instructors shall be required to meet the eligibility
2 requirements for a concealed handgun license as provided in Sections
3 1290.9, 1290.10, and 1290.11 of this title, and the application
4 shall be processed as provided for applicants in Section 1290.12 of
5 this title, including the state and national criminal history
6 records search and fingerprint search. A firearms instructor shall
7 be required to pay a fee of One Hundred Dollars (\$100.00) to the
8 Council on Law Enforcement Education and Training (CLEET) each time
9 the person makes application for CLEET approval as a firearms
10 instructor pursuant to the provisions of the Oklahoma Self-Defense
11 Act. The fee shall be retained by CLEET and shall be deposited into
12 the Firearms Instructors Revolving Fund. CLEET shall promulgate the
13 rules, forms and procedures necessary to implement the approval of
14 firearms instructors as authorized by the provisions of this
15 subsection. CLEET shall periodically review each approved
16 instructor during a training and qualification course to assure
17 compliance with the rules and course contents. Any violation of the
18 rules may result in the revocation or suspension of CLEET and
19 Oklahoma State Bureau of Investigation approval. Unless the
20 approval has been revoked or suspended, a firearms instructor's
21 CLEET approval shall be for a term of five (5) or ten (10) years.
22 Beginning on the effective date of this act, any firearms instructor
23 who has been issued a four-year CLEET approval shall not be eligible
24 for the five-year approval until the expiration of the approval

1 previously issued. CLEET shall be responsible for notifying all
2 approved firearms instructors of statutory and policy changes
3 related to the Oklahoma Self-Defense Act.

4 Beginning November 1, 2010, any person making application for
5 approval as a firearms instructor shall have the option to request
6 that said approval be for a term of ten (10) years. The application
7 fee for the ten-year firearms instructor approval shall be double
8 the amount of the fee provided for in this subsection.

9 C. 1. All firearms instructors approved by CLEET to train and
10 qualify individuals for a concealed handgun license shall be
11 required to apply for registration with the Oklahoma State Bureau of
12 Investigation after receiving CLEET approval. All firearms
13 instructors teaching the approved course for a concealed handgun
14 license must display their registration certificate during each
15 training and qualification course. Each approved firearms
16 instructor shall complete a registration form provided by the Bureau
17 and shall pay a registration fee of One Hundred Dollars (\$100.00) to
18 the Bureau at the time of each application for registration, except
19 as provided in paragraph 2 of this subsection. Registration
20 certificates issued by the Bureau shall be valid for five (5) or ten
21 (10) years from the date of issuance. The Bureau shall issue a
22 five-year or ten-year handgun license to an approved firearms
23 instructor at the time of issuance of a registration certificate and
24 no additional fee shall be required or charged. The Bureau shall

1 maintain a current listing of all registered firearms instructors in
2 this state. Nothing in this paragraph shall be construed to
3 eliminate the requirement for registration and training with CLEET
4 as provided in subsection B of this section. Failure to register or
5 be trained as required shall result in a revocation or suspension of
6 the instructor certificate by the Bureau.

7 2. Beginning November 1, 2010, each approved firearms
8 instructor shall have the option to request that said registration
9 certificate issued by the Bureau be valid for a term of ten (10)
10 years. The registration fee for the ten-year registration
11 certificate shall be double the amount of the fee provided for in
12 paragraph 1 of this subsection.

13 3. On the effective date of this act, the registered
14 instructors listed in subparagraphs a and b of this paragraph shall
15 not be required to renew the firearms instructor registration
16 certificate with the Oklahoma State Bureau of Investigation at the
17 expiration of the registration term, provided the instructor is not
18 subject to any suspension or revocation of the firearm instructor
19 certificate. The firearms instructor registration with the Oklahoma
20 State Bureau of Investigation shall automatically renew together
21 with the handgun license authorized in paragraph 1 of this
22 subsection for an additional five-year term and no additional cost
23 or fee may be charged for the following individuals:

24

1 a. an active duty law enforcement officer of this state
2 or any of its political subdivisions or of the federal
3 government who has a valid CLEET approval as a
4 firearms instructor pursuant to the Oklahoma Self-
5 Defense Act, and

6 b. a retired law enforcement officer authorized to carry
7 a firearm pursuant to Section 1289.8 of this title who
8 has a valid CLEET approval as a firearms instructor
9 pursuant to the Oklahoma Self-Defense Act.

10 D. The Oklahoma State Bureau of Investigation shall approve
11 registration for a firearms instructor applicant who is in full
12 compliance with CLEET rules regarding firearms instructors and the
13 provisions of subsection B of this section, if completion of the
14 federal fingerprint search is the only reason for delay of
15 registration of that firearms instructor applicant. Upon receipt of
16 the federal fingerprint search information, if the Bureau receives
17 information which precludes the person from having a concealed
18 handgun license, the Bureau shall revoke both the registration and
19 the concealed handgun license previously issued to the firearms
20 instructor.

21 E. The required firearms safety and training course and the
22 actual demonstration of competency and qualification required of the
23 applicant shall be designed and conducted in such a manner that the
24 course can be reasonably completed by the applicant within an eight-

1 hour period. CLEET shall establish the course content and
2 promulgate rules, procedures and forms necessary to implement the
3 provisions of this subsection. For the training and qualification
4 course, an applicant may be charged a fee not to exceed Sixty
5 Dollars (\$60.00). The instructor to student ratio shall not exceed
6 ten students to any one instructor. CLEET may establish criteria
7 for assistant instructors, maximum class size and any other
8 requirements deemed necessary to conduct a safe and effective
9 training and qualification course. The course content shall include
10 a safety inspection of the firearm to be used by the applicant in
11 the training course; instruction on pistol handling, safety and
12 storage; dynamics of ammunition and firing; methods or positions for
13 firing a pistol; information about the criminal provisions of the
14 Oklahoma law relating to firearms; the requirements of the Oklahoma
15 Self-Defense Act as it relates to the applicant; self-defense and
16 the use of appropriate force; a practice shooting session; and a
17 familiarization course. The firearms instructor shall refuse to
18 train or qualify any person when the pistol to be used or carried by
19 the person is either deemed unsafe or unfit for firing or is a
20 weapon not authorized by the Oklahoma Self-Defense Act. The course
21 shall provide an opportunity for the applicant to qualify himself or
22 herself on either a derringer, a revolver, a semiautomatic pistol or
23 any combination of a derringer, a revolver and a semiautomatic
24 pistol, provided no pistol shall be capable of firing larger than

1 .45 caliber ammunition. Any applicant who successfully trains and
2 qualifies himself or herself with a semiautomatic pistol may be
3 approved by the firearms instructor on the training certificate for
4 a semiautomatic pistol, a revolver and a derringer upon request of
5 the applicant. Any person who qualifies on a derringer or revolver
6 shall not be eligible for a semiautomatic rating until the person
7 has demonstrated competence and qualifications on a semiautomatic
8 pistol. Upon successful completion of the training and
9 qualification course, a certificate shall be issued to each
10 applicant who successfully completes the course. The certificate of
11 training shall comply with the form established by CLEET and shall
12 be submitted with an application for a concealed handgun license
13 pursuant to the provisions of paragraph 2 of Section 1290.12 of this
14 title.

15 F. There is hereby created a revolving fund for the Council on
16 Law Enforcement Education and Training (CLEET), to be designated the
17 "Firearms Instructors Revolving Fund". The fund shall be a
18 continuing fund, not subject to fiscal year limitations, and shall
19 consist of all funds received for approval of firearms instructors
20 for purposes of the Oklahoma Self-Defense Act. All funds received
21 shall be deposited to the fund. All monies accruing to the credit
22 of said fund are hereby appropriated and may be budgeted and
23 expended by the Council on Law Enforcement Education and Training,
24 for implementation of the training and qualification course

