

1 ENGROSSED SENATE  
2 BILL NO. 730

By: Laster of the Senate  
and  
Steele of the House

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7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2001, Section 1283, as last amended by  
9 Section 1, Chapter 162, O.S.L. 2007 (21 O.S. Supp.  
10 2008, Section 1283), which relates to convicted  
11 felons and delinquents; permitting placement of  
12 certain persons with CLEET-certified peace officers;  
13 and providing an effective date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1283, as  
16 last amended by Section 1, Chapter 162, O.S.L. 2007 (21 O.S. Supp.  
17 2008, Section 1283), is amended to read as follows:

18 Section 1283. A. Except as provided in subsection B of this  
19 section, it shall be unlawful for any person convicted of any felony  
20 in any court of this state or of another state or of the United  
21 States to have in his or her possession or under his or her  
22 immediate control, or in any vehicle which the person is operating,  
23 or in which the person is riding as a passenger, or at the residence  
24 where the convicted person resides, any pistol, imitation or

1 homemade pistol, altered air or toy pistol, machine gun, sawed-off  
2 shotgun or rifle, or any other dangerous or deadly firearm.

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

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

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

1 he or she is driving or in which ~~said~~ the person is riding as a  
2 passenger, or at the person's residence, any pistol, imitation or  
3 homemade pistol, altered air or toy pistol, machine gun, sawed-off  
4 shotgun or rifle, or any other dangerous or deadly firearm within  
5 ten (10) years after such adjudication; provided, that nothing in  
6 this subsection shall be construed to prohibit the placement of the  
7 person in a home with a full-time duly appointed peace officer who  
8 is certified by the Council on Law Enforcement Education and  
9 Training (CLEET) pursuant to the provisions of Section 3311 of Title  
10 70 of the Oklahoma Statutes.

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

22 F. Any convicted or adjudicated person violating the provisions  
23 of this section shall, upon conviction, be guilty of a felony  
24 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 H. For purposes of this section, "altered toy pistol" shall  
5 mean any toy weapon which has been altered from its original  
6 manufactured state to resemble a real weapon.

7 I. For purposes of this section, "altered air pistol" shall  
8 mean any air pistol manufactured to propel projectiles by air  
9 pressure which has been altered from its original manufactured  
10 state.

11 SECTION 2. This act shall become effective November 1, 2009.

12 Passed the Senate the 2nd day of March, 2009.

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Presiding Officer of the Senate

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16 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

17 2009.

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Presiding Officer of the House  
of Representatives

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