

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1624

By: Pittman

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6 AS INTRODUCED

7 An Act relating to domestic violence; amending 21
8 O.S. 2001, Section 1289.12, which relates to the
9 Oklahoma Firearms Act of 1971; prohibiting the sale
10 or transfer of firearms to certain persons; directing
11 law enforcement agencies to report incidents of
12 domestic abuse to the Office of the Attorney General;
13 requiring certain information be included in report;
14 directing the Office of the Attorney General to
15 develop standard reporting system; providing for the
16 promulgation of rules and procedures; providing for
17 codification; and providing an effective date.

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

21 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1289.12, is
22 amended to read as follows:

23 Section 1289.12

24 GIVING FIREARMS TO CONVICTED PERSONS

25 A. It shall be unlawful for any person within this state to
26 knowingly sell, trade, give, transmit or otherwise cause the
27 transfer of rifles, shotguns or pistols to any:

28 1. Any convicted felon or an adjudicated delinquent, ~~and it~~
29 ~~shall be unlawful for any person within this state to knowingly~~

1 ~~sell, trade, give, transmit or otherwise cause the transfer of any~~
2 ~~shotgun, rifle or pistol to any;~~

3 2. Any individual who is under the influence of alcohol or
4 drugs or is mentally or emotionally unbalanced or disturbed;

5 3. Any person who is subject to a protective order pursuant to
6 the Protection from Domestic Abuse Act that restrains such person
7 from harassing, stalking, or threatening a family or household
8 member, as defined in the Protection from Domestic Abuse Act; or

9 4. Any person who has been convicted of a misdemeanor crime of
10 domestic violence.

11 B. All persons who engage in selling, trading or otherwise
12 transferring firearms will display this section prominently in full
13 view at or near the point of normal firearms sale, trade or
14 transfer.

15 C. Any person convicted of violating the provisions of this
16 section shall be punished as provided in Section 1289.15 of this
17 title.

18 D. Any person convicted of a violation of this section after
19 having been issued a concealed handgun license pursuant to the
20 Oklahoma Self-Defense Act, Sections 1 through 25 of this act, shall
21 have the license suspended for six (6) months and shall be liable
22 for an administrative fine of Fifty Dollars (\$50.00), upon a hearing
23 and determination by the Oklahoma State Bureau of Investigation that
24 the person is in violation of the provisions of this section.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 59.1 of Title 22, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Criminally injurious conduct, as defined by the Oklahoma
5 Crime Victims Compensation Act, which appears to be or is reported
6 by the victim to be domestic abuse, as defined in Section 60.1 of
7 Title 22 of the Oklahoma Statutes, or domestic abuse by
8 strangulation, domestic abuse resulting in great bodily harm, or
9 domestic abuse in the presence of a child, as defined in Section 644
10 of Title 21 of the Oklahoma Statutes, shall be reported by law
11 enforcement agencies according to the standards for reporting as set
12 forth in subsection B of this section.

13 B. All state, county, city and town law enforcement agencies
14 shall submit a monthly report to the Office of the Attorney General
15 on forms prescribed by the Attorney General. The report shall
16 contain the number and nature of domestic violence offenses
17 committed within their respective jurisdictions, the disposition of
18 such matters and any other information the Attorney General may
19 require.

20 C. The Office of the Attorney General shall develop a standard
21 system for state and local law enforcement agencies to report
22 incidents of domestic abuse. The Attorney General shall promulgate
23 rules and procedures necessary to develop, implement and maintain a
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1 standard system for the collection and reporting of domestic abuse
2 data.

3 SECTION 3. This act shall become effective November 1, 2009.

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5 52-1-6574 GRS 01/14/09

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