

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1548

By: Shortey

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5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Self-Defense Act;
8 amending 21 O.S. 2011, Section 1290.14, which relates
9 to safety and training courses; deleting certain fee
10 for certain course; and providing an effective date.

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

12 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.14, is
13 amended to read as follows:

14 Section 1290.14.

15 SAFETY AND TRAINING COURSE

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

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

10 1. Firearms instructor training conducted by one of the
11 following entities:

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

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

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

21 4. Receive a course completion certificate.

22 All firearms instructors shall be required to meet the eligibility
23 requirements for a concealed handgun license as provided in Sections
24 1290.9, 1290.10, and 1290.11 of this title, and the application

1 shall be processed as provided for applicants in Section 1290.12 of
2 this title, including the state and national criminal history
3 records search and fingerprint search. A firearms instructor shall
4 be required to pay a fee of One Hundred Dollars (\$100.00) to the
5 Council on Law Enforcement Education and Training (CLEET) each time
6 the person makes application for CLEET approval as a firearms
7 instructor pursuant to the provisions of the Oklahoma Self-Defense
8 Act. The fee shall be retained by CLEET and shall be deposited into
9 the Firearms Instructors Revolving Fund. CLEET shall promulgate the
10 rules, forms and procedures necessary to implement the approval of
11 firearms instructors as authorized by the provisions of this
12 subsection. CLEET shall periodically review each approved
13 instructor during a training and qualification course to assure
14 compliance with the rules and course contents. Any violation of the
15 rules may result in the revocation or suspension of CLEET and
16 Oklahoma State Bureau of Investigation approval. Unless the
17 approval has been revoked or suspended, a firearms instructor's
18 CLEET approval shall be for a term of five (5) years. Beginning on
19 ~~the effective date of this act~~ July 1, 2003, any firearms instructor
20 who has been issued a four-year CLEET approval shall not be eligible
21 for the five-year approval until the expiration of the approval
22 previously issued. CLEET shall be responsible for notifying all
23 approved firearms instructors of statutory and policy changes
24 related to the Oklahoma Self-Defense Act.

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

23 2. On ~~the effective date of this act~~ July 1, 2003, the
24 registered instructors listed in subparagraphs a and b of this

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

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

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

1 registration of that firearms instructor applicant. Upon receipt of
2 the federal fingerprint search information, if the Bureau receives
3 information which precludes the person from having a concealed
4 handgun license, the Bureau shall revoke both the registration and
5 the concealed handgun license previously issued to the firearms
6 instructor.

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

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

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

17 SECTION 2. This act shall become effective November 1, 2012.
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