

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1556

By: Ellis

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5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2011, Section 1289.13A, which relates to the  
9 Oklahoma Firearms Act of 1971; deleting certain  
10 license to allow for lawful transportation; amending  
11 21 O.S. 2011, Section 1290.26, which relates to the  
12 Oklahoma Self Defense Act; rescinding certain  
13 reciprocity authority; requiring certain concealed  
14 license under certain circumstances; providing  
15 penalty; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.13A, is  
amended to read as follows:

Section 1289.13A. A. Notwithstanding the provisions of  
Section 1272 or 1289.13 of this title, any person stopped pursuant  
to a moving traffic violation who is transporting a loaded pistol in  
the motor vehicle without a valid concealed handgun permit  
authorized by the Oklahoma Self-Defense Act ~~or valid license from~~  
~~another state~~, whether the loaded firearm is concealed or open in  
the vehicle, shall be issued a traffic citation in the amount of  
Seventy Dollars (\$70.00), plus court costs for transporting a

1 firearm improperly. In addition to the traffic citation provided in  
2 this section, the person may also be arrested for any other  
3 violation of law.

4 B. When the arresting officer determines that a valid handgun  
5 license exists, pursuant to the Oklahoma Self-Defense Act ~~or any~~  
6 ~~provision of law from another state~~, for any person in the stopped  
7 vehicle, any firearms permitted to be carried pursuant to that  
8 license shall not be confiscated, unless:

9 1. The person is arrested for violating another provision of  
10 law other than a violation of subsection A of this section;  
11 provided, however, if the person is never charged with an offense  
12 pursuant to this paragraph or if the charges are dismissed or the  
13 person is acquitted, the weapon shall be returned to the person; or

14 2. The officer has probable cause to believe the weapon is:  
15 a. contraband, or  
16 b. a firearm used in the commission of a crime other than  
17 a violation of subsection A of this section.

18 C. Nothing in this section shall be construed to require  
19 confiscation of any firearm.

20 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.26, is  
21 amended to read as follows:

22 Section 1290.26.

23 ~~RECIPROCAL AGREEMENT AUTHORITY~~

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1       ~~The State of Oklahoma hereby recognizes any valid concealed~~  
2 ~~carry weapons permit or license issued by another state. Any person~~  
3 ~~entering this state in possession of a firearm authorized for~~  
4 ~~concealed carry upon the authority and license of another state is~~  
5 ~~authorized to continue to carry a concealed firearm and license in~~  
6 ~~this state; provided the license from the other state remains valid.~~  
7 ~~The firearm must be carried fully concealed from detection and view,~~  
8 ~~and upon coming in contact with any peace officer of this state, the~~  
9 ~~person must disclose the fact that he or she is in possession of a~~  
10 ~~concealed firearm pursuant to a valid concealed carry weapons permit~~  
11 ~~or license issued in another state. Any person who is twenty-one~~  
12 (21) years of age or older having a valid firearm license from  
13 another state ~~may apply for a concealed handgun license in this~~  
14 ~~state immediately upon establishing a residence in this state shall~~  
15 also have a valid license to carry a concealed handgun as authorized  
16 by the Oklahoma Self Defense Act, Section 1290.1 et seq. of this  
17 title, in order to carry a concealed handgun in this state.

18       Any person violating the provisions of this section shall, upon  
19 conviction, be punished by a fine of not less than Fifty Dollars  
20 (\$50.00) nor more than Five Hundred Dollars (\$500.00), or  
21 imprisonment in the county jail for not less than ten (10) days nor  
22 more than six (6) months, or by both such fine and imprisonment.  
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SECTION 3. This act shall become effective November 1, 2012.

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