

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1775 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Todd Russ

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1775

By: Russ

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to crimes and punishments; amending
9 21 O.S. 2011, Section 1283, as amended by Section 9,
10 Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012, Section
11 1283), which relates to possession of firearms by
12 convicted felons and delinquents; modifying list of
13 prohibited weapons; modifying qualifications for
14 possessing firearms after certain conviction;
15 deleting defined terms; and providing an effective
16 date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1283, as
19 amended by Section 9, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012,
20 Section 1283), is amended to read as follows:

Section 1283.

21 CONVICTED FELONS AND DELINQUENTS

22 A. Except as provided in subsection B of this section, it shall
23 be unlawful for any person convicted of any felony in any court of
24 this state or of another state or of the United States to have in
his or her possession or under his or her immediate control, or in

1 any vehicle which the person is operating, or in which the person is
2 riding as a passenger, or at the residence where the convicted
3 person resides, any pistol, ~~imitation or homemade pistol, altered~~
4 ~~air or toy pistol,~~ machine gun, or sawed-off shotgun or sawed-off
5 ~~rifle, or any other dangerous or deadly firearm.~~

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

17 C. It shall be unlawful for any person supervised by the
18 Department of Corrections or any division thereof to have in his or
19 her possession or under his or her immediate control, or at his or
20 her residence, or in any passenger vehicle which the supervised
21 person is operating or is riding as a passenger, any pistol, ~~shotgun~~
22 ~~or rifle, including any imitation or homemade pistol, altered air or~~
23 ~~toy pistol,~~ machine gun or sawed-off shotgun or sawed-off rifle,
24

1 while such person is subject to supervision, probation, parole or
2 inmate status.

3 D. It shall be unlawful for any person previously adjudicated
4 as a delinquent child or a youthful offender for the commission of
5 an offense, which would have constituted a felony offense if
6 committed by an adult, to have in the possession of the person or
7 under the immediate control of the person, or have in any vehicle
8 which he or she is driving or in which the person is riding as a
9 passenger, or at the residence of the person, any pistol, ~~imitation~~
10 ~~or homemade pistol, altered air or toy pistol,~~ machine gun, or
11 sawed-off shotgun or sawed-off rifle, ~~or any other dangerous or~~
12 ~~deadly firearm~~ within ten (10) years after such adjudication;
13 provided, that nothing in this subsection shall be construed to
14 prohibit the placement of the person in a home with a full-time duly
15 appointed peace officer who is certified by the Council on Law
16 Enforcement Education and Training (CLEET) pursuant to the
17 provisions of Section 3311 of Title 70 of the Oklahoma Statutes.

18 E. Any person having been issued a handgun license pursuant to
19 the provisions of the Oklahoma Self-Defense Act and who thereafter
20 knowingly or intentionally allows a convicted felon or adjudicated
21 delinquent or a youthful offender as prohibited by the provisions of
22 subsection A, C, or D of this section to possess or have control of
23 any pistol authorized by the Oklahoma Self-Defense Act shall, upon
24 conviction, be guilty of a felony punishable by a fine not to exceed

1 Five Thousand Dollars (\$5,000.00). In addition, the person shall
2 have the handgun license revoked by the Oklahoma State Bureau of
3 Investigation after a hearing and determination that the person has
4 violated the provisions of this section.

5 F. Any convicted or adjudicated person violating the provisions
6 of this section shall, upon conviction, be guilty of a felony
7 punishable as provided in Section 1284 of this title.

8 G. For purposes of this section, "sawed-off shotgun or sawed-
9 off rifle" shall mean any shotgun or rifle which has been shortened
10 to any unlawful length.

11 ~~H. For purposes of this section, "altered toy pistol" shall~~
12 ~~mean any toy weapon which has been altered from its original~~
13 ~~manufactured state to resemble a real weapon.~~

14 ~~I. For purposes of this section, "altered air pistol" shall~~
15 ~~mean any air pistol manufactured to propel projectiles by air~~
16 ~~pressure which has been altered from its original manufactured~~
17 ~~state.~~

18 SECTION 2. This act shall become effective November 1, 2013.

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20 54-1-6905 GRS 02/12/13

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