

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1894

By: Cockroft and Ritze

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8 COMMITTEE SUBSTITUTE

9 An Act relating to firearms; amending 21 O.S. 2011,
10 Section 1290.14, as amended by Section 91, Chapter
11 304, O.S.L. 2012 (21 O.S. Supp. 2012, Section
12 1290.14), which relates to the Oklahoma Self-Defense
13 Act; allowing firearm training and qualification
14 course providers to determine course fee; and
15 providing an effective date.

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

17 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.14, as
18 amended by Section 91, Chapter 304, O.S.L. 2012 (21 O.S. Supp. 2012,
19 Section 1290.14), is amended to read as follows:

20 Section 1290.14

21 SAFETY AND TRAINING COURSE

22 A. Each applicant for a license to carry a concealed or
23 unconcealed handgun pursuant to the Oklahoma Self-Defense Act must
24 successfully complete a firearms safety and training course in this

1 state conducted by a registered and approved firearms instructor as
2 provided by the provisions of this section. The applicant must
3 further demonstrate competence and qualification with an authorized
4 pistol of the type or types that the applicant desires to carry as a
5 concealed or unconcealed handgun pursuant to the provisions of the
6 Oklahoma Self-Defense Act, except certain persons may be exempt from
7 such training requirement as provided by the provisions of Section
8 1290.15 of this title.

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

- 16 1. Firearms instructor training conducted by one of the
17 following entities:
- 18 a. Council on Law Enforcement Education and Training,
 - 19 b. National Rifle Association,
 - 20 c. Oklahoma Rifle Association,
 - 21 d. federal law enforcement agencies, or
 - 22 e. other professionally recognized organizations;
- 23 2. The course shall be at least sixteen (16) hours in length;

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

4 4. Receive a course completion certificate.

5 All firearms instructors shall be required to meet the eligibility
6 requirements for a ~~concealed~~ handgun license as provided in Sections
7 1290.9, 1290.10, and 1290.11 of this title, and the application
8 shall be processed as provided for applicants in Section 1290.12 of
9 this title, including the state and national criminal history
10 records search and fingerprint search. A firearms instructor shall
11 be required to pay a fee of One Hundred Dollars (\$100.00) to the
12 Council on Law Enforcement Education and Training (CLEET) each time
13 the person makes application for CLEET approval as a firearms
14 instructor pursuant to the provisions of the Oklahoma Self-Defense
15 Act. The fee shall be retained by CLEET and shall be deposited into
16 the Firearms Instructors Revolving Fund. CLEET shall promulgate the
17 rules, forms and procedures necessary to implement the approval of
18 firearms instructors as authorized by the provisions of this
19 subsection. CLEET shall periodically review each approved
20 instructor during a training and qualification course to assure
21 compliance with the rules and course contents. Any violation of the
22 rules may result in the revocation or suspension of CLEET and
23 Oklahoma State Bureau of Investigation approval. Unless the

1 approval has been revoked or suspended, a firearms instructor's
2 CLEET approval shall be for a term of five (5) years. Beginning ~~on~~
3 ~~the effective date of this act~~ July 1, 2003, any firearms instructor
4 who has been issued a four-year CLEET approval shall not be eligible
5 for the five-year approval until the expiration of the approval
6 previously issued. CLEET shall be responsible for notifying all
7 approved firearms instructors of statutory and policy changes
8 related to the Oklahoma Self-Defense Act.

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

8 2. On ~~the effective date of this act~~ or after July 1, 2003, the
9 registered instructors listed in subparagraphs a and b of this
10 paragraph shall not be required to renew the firearms instructor
11 registration certificate with the Oklahoma State Bureau of
12 Investigation at the expiration of the registration term, provided
13 the instructor is not subject to any suspension or revocation of the
14 firearm instructor certificate. The firearms instructor
15 registration with the Oklahoma State Bureau of Investigation shall
16 automatically renew together with the handgun license authorized in
17 paragraph 1 of this subsection for an additional five-year term and
18 no additional cost or fee may be charged for the following
19 individuals:

20 a. an active duty law enforcement officer of this state
21 or any of its political subdivisions or of the federal
22 government who has a valid CLEET approval as a
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1 firearms instructor pursuant to the Oklahoma Self-
2 Defense Act, and

3 b. a retired law enforcement officer authorized to carry
4 a firearm pursuant to Section 1289.8 of this title who
5 has a valid CLEET approval as a firearms instructor
6 pursuant to the Oklahoma Self-Defense Act.

7 D. The Oklahoma State Bureau of Investigation shall approve
8 registration for a firearms instructor applicant who is in full
9 compliance with CLEET rules regarding firearms instructors and the
10 provisions of subsection B of this section, if completion of the
11 federal fingerprint search is the only reason for delay of
12 registration of that firearms instructor applicant. Upon receipt of
13 the federal fingerprint search information, if the Bureau receives
14 information which precludes the person from having a ~~concealed~~
15 handgun license, the Bureau shall revoke both the registration and
16 the ~~concealed~~ handgun license previously issued to the firearms
17 instructor.

18 E. The required firearms safety and training course and the
19 actual demonstration of competency and qualification required of the
20 applicant shall be designed and conducted in such a manner that the
21 course can be reasonably completed by the applicant within an eight-
22 hour period. CLEET shall establish the course content and
23 promulgate rules, procedures and forms necessary to implement the
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1 provisions of this subsection. For the training and qualification
2 course, an applicant may be charged a fee ~~not to exceed Sixty~~
3 ~~Dollars (\$60.00)~~ which shall be determined by the entity that is
4 conducting the course. The instructor to student ratio shall not
5 exceed ten students to any one instructor. CLEET may establish
6 criteria for assistant instructors, maximum class size and any other
7 requirements deemed necessary to conduct a safe and effective
8 training and qualification course. The course content shall include
9 a safety inspection of the firearm to be used by the applicant in
10 the training course; instruction on pistol handling, safety and
11 storage; dynamics of ammunition and firing; methods or positions for
12 firing a pistol; information about the criminal provisions of the
13 Oklahoma law relating to firearms; the requirements of the Oklahoma
14 Self-Defense Act as it relates to the applicant; self-defense and
15 the use of appropriate force; a practice shooting session; and a
16 familiarization course. The firearms instructor shall refuse to
17 train or qualify any person when the pistol to be used or carried by
18 the person is either deemed unsafe or unfit for firing or is a
19 weapon not authorized by the Oklahoma Self-Defense Act. The course
20 shall provide an opportunity for the applicant to qualify himself or
21 herself on either a derringer, a revolver, a semiautomatic pistol or
22 any combination of a derringer, a revolver and a semiautomatic
23 pistol, provided no pistol shall be capable of firing larger than
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1 .45 caliber ammunition. Any applicant who successfully trains and
2 qualifies himself or herself with a semiautomatic pistol may be
3 approved by the firearms instructor on the training certificate for
4 a semiautomatic pistol, a revolver and a derringer upon request of
5 the applicant. Any person who qualifies on a derringer or revolver
6 shall not be eligible for a semiautomatic rating until the person
7 has demonstrated competence and qualifications on a semiautomatic
8 pistol. Upon successful completion of the training and
9 qualification course, a certificate shall be issued to each
10 applicant who successfully completes the course. The certificate of
11 training shall comply with the form established by CLEET and shall
12 be submitted with an application for a ~~concealed~~ handgun license
13 pursuant to the provisions of paragraph 2 of Section 1290.12 of this
14 title.

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

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

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11 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/28/2013 -
12 DO PASS, As Amended and Coauthored.

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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.