

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2614

By: Martin (Steve) of the House

and

Treat of the Senate

7
8
9 COMMITTEE SUBSTITUTE

10 An Act relating to firearms; amending 19 O.S. 2011,
11 Section 215.29, which relates to the carrying of
12 firearms by district attorneys; clarifying firearm
13 training requirement; providing for the issuance of
14 an identification card; amending Section 1, Chapter
15 267, O.S.L. 2013 (20 O.S. Supp. 2013, Section 129),
16 which relates to the carrying of firearms by judges;
17 clarifying firearm training requirement; providing
18 for the issuance of an identification card; amending
19 21 O.S. 2011, Section 1273, as amended by Section 4,
20 Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2013, Section
21 1273), which relates to the possession of firearms by
22 minors; expanding scope of certain exceptions;
23 amending 21 O.S. 2011, Section 1289.29, which relates
24 to the carrying of firearms by United States
 Attorneys; clarifying firearm training requirement;
 providing for the issuance of an identification card;
 amending Section 2, Chapter 315, O.S.L. 2013 (70 O.S.
 Supp. 2013, Section 3311.14), which relates to the
 carrying of firearms by the Attorney General;
 clarifying firearm training requirement; providing
 for the issuance of an identification card; and
 providing an effective date.

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

1 SECTION 1. AMENDATORY 19 O.S. 2011, Section 215.29, is
2 amended to read as follows:

3 Section 215.29 A. A district attorney~~7~~ or retired former
4 ~~district attorney who receives a statement from the appropriate~~
5 ~~retirement system verifying the status of the person as a retired~~
6 ~~district attorney,~~ may carry a firearm on his or her person anywhere
7 in the state to use only for personal protection if the person has
8 successfully completed ~~an approved~~ a handgun qualification course ~~of~~
9 ~~firearm training conducted by a state-certified firearms instructor~~
10 ~~which meets the minimum requirements for firearms training as set~~
11 ~~forth~~ for court officials administered by the Council on Law
12 Enforcement Education and Training. The Council on Law Enforcement
13 Education and Training may provide for an identification card to be
14 issued to the district attorney or former district attorney and may
15 provide for application forms. If the person issued an
16 identification card is no longer eligible, that person shall
17 immediately return the identification card to the Council on Law
18 Enforcement Education and Training.

19 B. At the discretion of the district attorney, the district
20 attorney may allow an assistant district attorney to carry a firearm
21 on his or her person anywhere in the state to use only for personal
22 protection if the person has successfully completed ~~an approved~~ a
23 handgun qualification course ~~of firearm training conducted by a~~
24 ~~state-certified firearms instructor which meets the minimum~~

1 ~~requirements for firearms training as set forth~~ for court officials
2 administered by the Council on Law Enforcement Education and
3 Training. The Council on Law Enforcement Education and Training may
4 provide for an identification card to be issued to the assistant
5 district attorney and may provide for application forms.

6 If an assistant district attorney ends his or her employment,
7 the assistant district attorney shall immediately return the
8 identification card to the Council on Law Enforcement Education and
9 Training. If the person issued an identification card is no longer
10 eligible, that person shall immediately return the identification
11 card to the Council on Law Enforcement Education and Training.

12 SECTION 2. AMENDATORY Section 1, Chapter 267, O.S.L.
13 2013 (20 O.S. Supp. 2013, Section 129), is amended to read as
14 follows:

15 Section 129. A ~~district~~ judge of the district court, municipal
16 judge, or retired ~~district~~ judge of the district court who receives
17 a statement from the appropriate retirement system verifying the
18 status of the person as a retired ~~district~~ judge of the district
19 court may carry a firearm on his or her person anywhere in the state
20 to use only for personal protection if the person has successfully
21 completed ~~an approved~~ a handgun qualification course ~~of firearms~~
22 ~~training conducted by a state-certified firearms instructor which~~
23 ~~meets the minimum requirements for firearms training as set forth~~
24 for court officials administered by the Council on Law Enforcement

1 Education and Training. The Council on Law Enforcement Education
2 and Training may provide for an identification card to be issued to
3 the judge of the district court, retired judge of the district
4 court, or municipal judge and may provide for application forms. If
5 the person issued an identification card is no longer eligible, that
6 person shall immediately return the identification card to the
7 Council on Law Enforcement Education and Training.

8 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1273, as
9 amended by Section 4, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2013,
10 Section 1273), is amended to read as follows:

11 Section 1273.

12 ALLOWING MINORS TO POSSESS FIREARMS

13 A. It shall be unlawful for any person within this state to
14 sell or give to any child, or authorize any child to use, any of the
15 arms or weapons designated in Section 1272 of this title; provided,
16 the provisions of this section shall not prohibit a parent from
17 ~~giving~~ authorizing his or her child to use a pistol, revolver, rifle
18 or shotgun for participation in hunting animals or fowl, hunter
19 safety classes, firearm safety classes, target shooting, skeet, trap
20 or other recognized sporting events, except as provided in
21 subsection B of this section.

22 B. It shall be unlawful for any parent or guardian to
23 intentionally, knowingly, or recklessly permit his or her child to
24 possess any of the arms or weapons designated in Section 1272 of

1 this title, including any pistol, revolver, rifle or shotgun, if
2 such parent is aware of a substantial risk that the child will use
3 the weapon to commit a criminal offense or if the child has either
4 been adjudicated a delinquent or has been convicted as an adult for
5 any criminal offense.

6 C. It shall be unlawful for any child to possess any of the
7 arms or weapons designated in Section 1272 of this title, except
8 pistols, revolvers, rifles or shotguns used for participation in
9 hunting animals or fowl, hunter safety classes, firearm safety
10 classes, target shooting, skeet, trap or other recognized sporting
11 event. Provided, the possession of pistols, revolvers, rifles or
12 shotguns authorized by this section shall not authorize the
13 possession of such weapons by any person who is subject to the
14 provisions of Section 1283 of this title.

15 D. Any person violating the provisions of this section shall,
16 upon conviction, be punished as provided in Section 1276 of this
17 title, and, any child violating the provisions of this section shall
18 be subject to adjudication as a delinquent. In addition, any person
19 violating the provisions of this section shall be liable for civil
20 damages for any injury or death to any person and for any damage to
21 property resulting from any discharge of a firearm or use of any
22 other weapon as provided in Section 10 of Title 23 of the Oklahoma
23 Statutes. Any person convicted of violating the provisions of this
24 section after having been issued a handgun license pursuant to the

1 provisions of the Oklahoma Self-Defense Act may be liable for an
2 administrative violation as provided in Section 1276 of this title.

3 E. As used in this section, "child" means a person under
4 eighteen (18) years of age.

5 SECTION 4. AMENDATORY 21 O.S. 2011, Section 1289.29, is
6 amended to read as follows:

7 Section 1289.29 Any United States Attorney or Assistant United
8 States Attorney may carry a firearm on his or her person anywhere in
9 the State of Oklahoma if the person has successfully completed ~~an~~
10 ~~approved~~ a handgun qualification course of firearm training
11 ~~conducted by a certified firearms instructor which is equal to the~~
12 ~~minimum requirements for firearms training as set forth~~ for court
13 officials administered by the Council on Law Enforcement Education
14 and Training. The Council on Law Enforcement Education and Training
15 may provide for an identification card to be issued to the United
16 States attorney or assistant United States attorney and may provide
17 for application forms. If the person issued an identification card
18 is no longer eligible, that person shall immediately return the
19 identification card to the Council on Law Enforcement Education and
20 Training.

21 SECTION 5. AMENDATORY Section 2, Chapter 315, O.S.L.
22 2013 (70 O.S. Supp. 2013, Section 3311.14), is amended to read as
23 follows:
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1 Section 3311.14 Upon completion of ~~an approved~~ a handgun
2 qualification ~~course of firearm training conducted by a certified~~
3 ~~firearms instructor which is equal to the minimum requirements for~~
4 ~~firearms training as set forth~~ for court officials administered by
5 the Council on Law Enforcement Education and Training, the Attorney
6 General and any assistant attorney general may carry a firearm on
7 his or her person anywhere in this state for personal protection
8 only. The Council on Law Enforcement Education and Training may
9 provide for an identification card to be issued to the attorney
10 general or assistant attorney general and may provide for
11 application forms. If the person issued an identification card is
12 no longer eligible, that person shall immediately return the
13 identification card to the Council on Law Enforcement Education and
14 Training.

15 SECTION 6. This act shall become effective November 1, 2014.

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17 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/19/2014 -
18 DO PASS, As Amended and Coauthored.