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**AS AMENDED**

By: Turner, Bennett and  
Christian of the House

Dahm and Griffin of the  
Senate

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14           SECTION 1.           NEW LAW           A new section of law to be codified  
15 in the Oklahoma Statutes as Section 1289.30 of Title 21, unless  
16 there is created a duplication in numbering, reads as follows:

A. When certification by a chief law enforcement officer is required by federal law or regulation for the transfer or making of a firearm, the chief law enforcement officer shall, within fifteen (15) days of receipt of a request for certification, provide such certification if the applicant is not prohibited by law from receiving the firearm or the applicant is not the subject of a proceeding that could result in the applicant being prohibited by law from receiving the firearm. If the applicant is prohibited by

1 law from receiving the firearm or the applicant is the subject of a  
2 proceeding that could result in such prohibition, the chief law  
3 enforcement officer shall provide written notification to the  
4 applicant that certification has been denied and state the reasons  
5 for such findings.

6 B. An applicant whose request for certification is denied may  
7 appeal the decision of the chief law enforcement officer to the  
8 district court that is located in the county in which the applicant  
9 resides. The court shall review the decision of the chief law  
10 enforcement officer to deny the certification de novo. If the court  
11 finds that the applicant is not prohibited by law from receiving the  
12 firearm or the applicant is not the subject of a proceeding that  
13 could result in such prohibition, the court shall order the chief  
14 law enforcement officer to issue the certification and shall award  
15 court costs and reasonable attorney fees to the applicant.

16 C. For purposes of this section:

17 1. "Certification" means the participation and assent of the  
18 chief law enforcement officer necessary under federal law for the  
19 approval of the application to transfer or make a firearm;

20 2. "Chief law enforcement officer" means any official that the  
21 Bureau of Alcohol, Tobacco, Firearms and Explosives, or any  
22 successor agency, identifies by regulation or otherwise as eligible  
23 to provide any required certification for applications to transfer  
24 or make a firearm; and

1        3. "Firearm" shall have the same meaning as provided for in the  
2 National Firearms Act, subsection a of Section 5845 of Title 26 of  
3 the United States Code.

4        SECTION 2. This act shall become effective November 1, 2014.

5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
6 April 3, 2014 - DO PASS AS AMENDED  
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