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February 21, 2013

SENATE BILL NO. 934

By: Sykes, Shortey and Brecheen  
of the Senate

and

Johnson of the House

An Act relating to minors possessing firearms; amending 21 O.S. 2011, Section 1273, as amended by Section 4, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012, Section 1273), which relates to allowing minors to possess firearms; modifying who may give a firearm to a child for certain purposes; adding certain purpose; modifying weapons a minor may possess for certain purposes; modifying a certain criminal offense; modifying what certain firearms may be used for; modifying provisions relating to certain violations and penalties; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1273, as amended by Section 4, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012, Section 1273), is amended to read as follows:

Section 1273.

# ALLOWING MINORS TO POSSESS FIREARMS

A. It shall be unlawful for any person within this state to sell or give to any child any of the arms or weapons designated in

1 Section 1272 of this title; provided, the provisions of this section  
2 shall not prohibit a parent of a child or legal guardian of a child,  
3 or a person acting with the permission of the parent of the child or  
4 legal guardian of the child, from giving ~~his or her~~ the child a  
5 ~~rifle or shotgun~~ firearm for participation in hunting animals or  
6 fowl, hunter safety classes, education and training in the safe use  
7 and handling of firearms, target shooting, skeet, trap or other  
8 ~~recognized~~ sporting events or competitions, except as provided in  
9 subsection B of this section.

10 B. It shall be unlawful for any parent or guardian to  
11 intentionally, knowingly, or recklessly permit his or her child to  
12 possess any of the arms or weapons designated in Section 1272 of  
13 this title, including any ~~rifle or shotgun~~ firearm, if such parent  
14 is aware of a substantial risk that the child will use the weapon to  
15 commit a criminal offense or if the child has either been  
16 adjudicated a delinquent or has been convicted as an adult for any  
17 criminal offense that contains as an element the threat or use of  
18 physical force against the person of another.

19 C. It shall be unlawful for any child to possess any of the  
20 arms or weapons designated in Section 1272 of this title, except  
21 ~~rifles or shotguns~~ firearms used for participation in hunting  
22 animals or fowl, hunter safety classes, education and training in  
23 the safe use and handling of firearms, target shooting, skeet, trap  
24 or other ~~recognized~~ sporting ~~event~~ events or competitions.

1 Provided, ~~the possession of rifles or shotguns authorized by this~~  
2 section shall not authorize the possession of such weapons by any  
3 person who is subject to the provisions of Section 1283 of this  
4 title.

5 D. Any person violating the provisions of this section shall,  
6 upon conviction, be punished as provided in Section 1276 of this  
7 title, and, any child violating the provisions of this section shall  
8 be subject to adjudication as a delinquent. In addition, any person  
9 violating the provisions of ~~this section~~ subsection A or B of this  
10 section shall be liable for civil damages for any injury or death to  
11 any person and for any damage to property, as provided in Section 10  
12 of Title 23 of the Oklahoma Statutes, resulting from any discharge  
13 of a firearm by the child or use of any other weapon ~~as provided in~~  
14 ~~Section 10 of Title 23 of the Oklahoma Statutes~~ that the person had  
15 given to the child or permitted the child to possess. Any person  
16 convicted of violating the provisions of this section after having  
17 been issued a handgun license pursuant to the provisions of the  
18 Oklahoma Self-Defense Act may be liable for an administrative  
19 violation as provided in Section 1276 of this title.

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
24 February 21, 2013 - DO PASS